National Anti-Slavery Standard.

SYDNEY HOWARD GAY, EDITOR.

Without Concealment---Without Compromise.

EDMUND QUINCY, JAMES RUSSELL LOWELL, COR. EDITORS.

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Pro-Slavery.

THE DESTINY OF AFRICAN SLAVERY.

THE EXTINCTION OF SLAVERY: *Westminster Review*, No. 109, July 1851.

THE CONDITION OF SOUTHERN SLAVES: *New York Tribune*, July, 31, 1851.

The third article of the *Westminster Review*, for July last, commences with the following paragraph: "Slavery is extinct in the United Kingdom and in all its dependencies. This end having been achieved, the means of bringing about its extinction, everywhere, have been earnestly canvassed. There is but one feeling in this country as regards the willingness to co-operate for the purpose with other nations similarly disposed, although there are numerous and conflicting opinions, as to which, of all the means suggested for our adoption, can be most successfully employed."

The New York *Tribune* says,

"But we are told to leave Slavery alone; it is the special curse of the South, and we have nothing to do with it. This is a great mistake in every way.—As journalists it is our right and duty to discuss whatever interests the public, or whatever we think ought to interest it, whether in New York, England, Carolina, or India. But in Slavery we have a nearer interest than this; for it is an American institution, and exerts its baleful influence over the whole Republic, all of which is weakened and endangered by weakness and danger in any of its parts—not to say anything of the disgrace this institution cast upon democracy in the eyes of civilized mankind. Besides, we are liable to be called on to send back fugitives, an act which certainly renders us participants in their enslaving. Moreover, it is too late in the day to think of stopping the discussion of this subject. It *will* be discussed, and the best thing is to look at it peaceably and sincerely, and say the whole truth about it."

The *Westminster Review* is published, we suppose in Westminster, which is a suburb of London, and the *Tribune* in the city of New York. The two cities of London and New York contain together a population of three millions of people—about equal in number to the slaves of the Southern States.

In those two cities the vice, want, suffering, misery, disease, death, crime and pauperism, are immensely greater than among the slaves of the South. The actual labour performed is, perhaps, greater; the actual comfort realized is certainly less. In those cities the seats of refinement and civilization in the two hemispheres, men and women are not bought for life, but they are bought and sold by the day or night, week, month or year. They are not bought for life, for they are not sufficiently valuable to pay the expense of their support in childhood and age. They are marketable only in their youth and their prime. The labour of a man for a day in New York can be bought as low as that of a slave of equal strength and skill in the South. The labour of a white woman *for eighteen hours per day* in making shirts, in washing, or in millinery can be bought for much less than the labour of a Southern female slave. Worse than that, the chastity of a white woman, young and beautiful, is notoriously a marketable commodity, and can be bought every day and at all hours—the chastity or the person of women of every variety of attainment, family and manners.

In those cities, the condition of human life is so miserable, that young children are exposed to want, to disease, and death in so many forms, that scarcely a third of them escape an untimely grave. In those cities, the extremes of wealth and poverty, are seen bloated, voluptuous, and selfish wealth—and pining, haggard, despondant and desperate poverty. Crime abounds. Thousands of police officers are appointed and paid to prevent and punish crime, and yet there are more men, women, and children, in their prisons, jails and penitentiaries, and more crime committed than among all the slaves of the South together.—In those cities there is starvation—there is none among Southern slaves.

And yet here are two scribbling philanthropists, who cannot find time to relieve and assuage the miseries of their own people in their own neighbourhood, but must speculate incessantly on schemes to abolish the Slavery of negroes.

The destiny of Slavery—the doom of Slavery, deserves the consideration of Southern people, particularly because some of them have listened so much to the dogmatic and pragmatic lectures of these pharisees, that they have contracted the notion that African Slavery is, somehow or other, an institution that has received its sentence from these expounders of civilization, and must soon pass away. What are the indications?

African Slavery is now advancing, by its natural increase and the comforts of the slave, as rapidly as ever. It overspreads the fairest and most prolific climes and soils of North and South America, and is more important now to the commerce, wealth, and comfort of the civilized world than ever before.—Abolish it, and the most radical and comprehensive revolution would occur in all the highly civilized States of the world that history records. One half of the States of the Union would become a desolation; plantations would be laid waste, population would perish, and commerce would disappear. The wild beasts would come forth from the mountains of Virginia, the rice swamps of South Carolina, and the cane-brakes of Mississippi and Louisiana, and re-occupy the land. The spindles of Lowell and Manchester would stop, and silence would reign over their deserted streets, and famine rage around their habitations.

When the independence of these colonies was declared, there were about half a million of slaves, and there was then a more prevalent repugnance to Slavery than now. If it had been practicable or sensible, the principles of the Declaration of Independence would have been extended to slaves, and they invited to unite in achieving the liberty of the whites and their own. It was not done.

Seventy-five years have since elapsed. The number of slaves has increased six fold. The labour of slaves has extended over regions, and culture far better adapted to it, than then. The sentiment of hostility to Slavery has receded from the South, and is rapidly becoming extinct. Six or seven millions of whites, now are connected with Slavery instead of a million then. And the whole practicable argument against Slavery has failed. Instead of the poverty, disorder, and vice which then were *assumed* to be its companions and consequences, fifteen States have risen with it to the highest degree of wealth, order, morality, and progress of all civilized nations—and the people who have rejected it, have been growing year by year in crime, poverty and disease.

Under such circumstances, what are the speculations of scribblers in New York and London worth? We care very little about them. But it is important for every man in the South to know that Southern Slavery will stand as long as modern civilization will stand, unless those who are connected with it, and will be first to fall by its overthrow, are weak enough to desert themselves and their section, and to make their families the first victims to the fanatic, and mobocratic spirit of the age, which menaces the foundations of society and government all over the civilized world.—*Southern Press.*

THE ARMY OF OCCUPATION (!!!).

THE *Mercury* has been charged with seeking to make cause of public excitement out of every story or rumor connected with the movement of troops. The ground of all this is, in the first place, that the Fillmore Administration, through all its leading organs, has, again, threatened that the sovereign act of a State seceding from the Union would be met by the military repression of the Government; and in the second place, that preparations have been steadily and systematically made for some time past to place the United States in *military possession* of South Carolina, and that the *Mercury* noticed and commented on the abundant proofs that this has been done in a spirit of hostility, and with a purpose to prevent South Carolina from exercising her rights as a sovereign State.

Now, we wish to recall a few of the circumstances that indicate the spirit which has dictated the concentration of troops in the fortifications around Charleston. More than a year ago, Gov. Seabrook wrote to the War department that there was a large collection of munitions of war in Castle Pinkney, and that they were altogether without protection. He suggested that a sergeant's guard might be detached to this point with advantage. It was immediately done; but months afterwards, when the secession of South Carolina had been broached, this request of Gov. Seabrook was made the pretext for filling Castle Pinkney with a full garrison, and giving it the aspect of a fortress in the midst of an enemy's country. Castle Pinkney is the only fort in the harbour that is within cannon shot of Charleston.

We never noticed this circumstance till other things confirmatory of its purpose were brought before us. We had not the least disposition to believe, on insufficient evidence, that Millard Fillmore, a small Free Soil politician from Western New York, and Daniel Webster, the notorious pensioner of the Eastern merchants and manufacturers, would dare to go the length of attempting to repress a southern State in the exercise of her sovereign rights. Jackson has desired and intended to do so, but these men were, compared with him, as worms crawling at the heels of a Colussus—what right had we to suppose they would attempt to raise their reptile heads to this heroic height!

We gave them too much credit for sense. They are evidently convinced that they wield the thunder-bolts of Jove, and are determined to make as much storm as possible during the period of their brief authority. The second public, notorious proof of the purpose for which garrisons were accumulated around us, was in the refusal of the commandant of Fort Moultrie to allow the citizens of South Carolina to celebrate the 28th of June, according to custom, within the limits of that post. None will have forgotten the stirring scene to which this refusal gave rise. The anniversary of the battle of Sullivan's Island seemed suddenly to have re-awakened the spirit of '76, and the citizens of Charleston again gathered under the banner of the State, to do honour to the heroic achievements of their ancestors under the shadow of the fortress which had been closed against them.

In the mean time, there intervened some smaller circumstances that serve to illustrate the spirit that dictated the extraordinary armaments of the forts. A professor of one of our literary Institutions, visiting Fort Moultrie with his son, and wishing to communicate to him some knowledge of artillery practice, stood by one of the guns, explaining the manner in which it was handled, when he was rudely ordered by the sentinel to desist. Again, we learn, the Professors of the Military Academy wished to take their classes to Fort Sumter, as a change of scene appropriate to their course, and the request was refused. It was made manifest in these ways, before the garrisoning of Fort Sumter, that the military ports around Charleston were considered not as means of defending the city, but as points from which hostile demonstrations against the State could be appropriately made.

The previously mentioned occurrences concerned only works that had been long finished and used as military posts. Fort Sumter was a fortress of great strength, designed to be an impregnable barrier against the entrance of a foreign enemy into our harbour. The site never would have been given by the State for any other purpose. It is so far unfinished that no more than one-third of its complement of guns can be mounted in it, and that at considerable expense, and there is no appropriation applicable even to this expenditure. The appropriation for continuing the work at the Fort was rejected by the last Congress, and it is still legally under the control of the Engineer department. In this state, it is suddenly occupied with troops—not fifty-three, as has been sneeringly said, but with two companies—together more than a hundred men. The occupation of the Fort in such a condition, shows a disposition to make it a scene of military operations, and it was so regarded all over the city. On Monday, after the troops had arrived and pitched their tents within the walls (they had no other way of sheltering themselves), a party of gentlemen from the city visited the place, landed as a matter of course, looked over the scene to their satisfaction, and went away without any one presuming to hint that they were unwelcome. On Tuesday, two gentlemen with two or three children, approaching the Fort, the sentinel demanded if the boat was a "*government boat*," and it being answered in the negative, he forbid them to land, and the corporal of the guard being called for, both in substance and manner confirmed the rude refusal. This is the case to which we have before referred. On Wednesday, another boat, with several gentleman from the city, approached the landing, and they were met by the same prohibition, but they did not choose to submit to it. One of them mounted the steps, and expressed his determination to see the officer in command before he would yield the point. The party were then treated with "distinguished consideration"—but, as they were allowed to understand, in consequence of the officer making them his personal guests.

One word in regard to the explanation of these discourtesies—since this also has been made the occasion of insinuations against our motives. The explanation was not volunteered, as we were willing it should appear to have been. As far as we know and believe, is was *solicited* by an active and leading member of the Co-operation party, and, as we have understood, solicited through the intervention of the Commandant of Fort Moultrie, whose experience of the 28th of June may be supposed to have taught him that the spirit of a people is not likely to be conquered by the grimaces and frowns of a hired soldiery.

We have here stated the train of events on which we founded the conclusion that Charleston is surrounded by an extraordinary force, for the purpose, if not of making war upon, at least of bullying the State, and preventing the exercise of its sovereign rights.—*Charleston (S. C.) Mercury.*

THE FUGITIVE SLAVE LAW AND THE PERPETUITY OF THE UNION.

THE FREE SOILERS AND THE CONSTITUTION.

THE Fugitive Slave Law, as enacted at the last session of Congress, differs materially from the one enacted in 1790, in the fact that it substitutes officers of the United States as executors of it, in the stead of officers of the States. For upwards of sixty years, therefore, the people of the United States, of the north and of the south, of the east and of the west, of all political parties and of all religious persuasions, have not only submitted to, but have assisted in the execution of a law which the Free Soilers of the present day pronounce to be unconstitutional, in violation of the law of God, and utterly null and void. No new discoveries have been made in morals or religion—no natural phenomena have occurred, which indicate more clearly the will of God—no text in the Bible, which recognizes Slavery as a social institution, has been proved to be interpolated or misinterpreted, and yet these holy gentlemen of the modern Free Soil school of religion insist that what their fathers and the civilized world has sanctioned for ages, is so palpably contradictory to God's word, and so grossly in violation of the natural laws which he has instituted for the government of the world, that it is the duty of every one who loves the Creator, and desires to keep his commandments, to *violate the constitution of his country, resist the laws made in pursuance of it, trample under foot what their revolutionary fathers shed their blood to establish, break up the framework of society, destroy social order, and obliterate all the guaranties of freedom, all the safeguards of person and property, and leave us exposed to the horrors of anarchy and civil war, and all the disasters to be apprehended from the supreme dominion of the worst passions of the human heart.*

Fanatical as well as criminal as this project is, it is the governing element in the political organizations of the northern States. Both parties, to their shame be it spoken, have tampered with it more or less, and for the sake of the temporary political advantage, have hazarded the destruction of constitutional political organizations, the existence of the constitution, and the stability of the Union. The great crisis which is to decide our fate is rapidly approaching—the Free Soil foes of the Union are mustering their cohorts for the final and, as they hope, the fatal struggle. Let us not deceive ourselves, or suffer others to deceive us. There is but one method to escape the impending evil. Both of the great national parties of the country must cast out of their organizations the Free Soil element. It has already destroyed the harmony of both, and, if permitted to work its will for a time, it will obliterate their principles and break up their organization. It is to this end these desperate men labour. In their eyes the constitution and the Union are nothing. The evil of Slavery outweighs all the evils to be anticipated from a disruption of all the springs of society, and the dissolution of political and social organization. If they can succeed either in dissolving the two great parties of the country, or driving them to a coalition, their first great object will be accomplished. In either event, the conflict for the future must assume a purely sectional aspect. The population of the free States will secure to the north an absolute majority in Congress, and that majority will overleap, without scruple, all the barriers of the constitution, invade the rights of the weaker section, paralyze the sovereignty of the States, and reduce the minority to a condition tantamount to vassalage or drive them to revolution.

This is no fancy sketch. It is an imperfect sketch of a course of events which are as plain to the mental eye of reflecting men as if inscribed with a pencil of light upon the face of the Heavens. In such a condition of affairs, the duty of all good men is as plain as the sun at noon-day. It is to set their faces against Free Soil agitation—to resolve that it shall be suppressed—to discountenance those who are giving aid and comfort to them—to insist upon the compromise bills and the faithful execution of the fugitive bills, as indispensable conditions of Union—and to treat every one of all parties who is not true in heart to that compromise, as an enemy to the constitution. If this course of conduct is inflexibly adhered to, without regard to personal feelings or temporary expedients, all may yet be well—if there is doubt, or hesitation, or prevarication, we may make up our minds for the worst alternative.—*St. Louis Times.*

POWER OF FREE-SOILISM

IF our people would know to what straits we are being driven by our enemies at the North, let them read in our paper to-day the article headed, "Mr. Brownson on Freesoilism." The Review from which the extracts are taken is published in Boston, the very hot-bed of Freesoil fanaticism, and the author is one that knows what he is talking about, and who is fearless in the utterance of his views.

It is the habit of some papers in the South to lecture us to be quiet and contented. They deprecate expressions of dissatisfaction at the present state of things, and would have us bow ourselves in unsuspecting, unquestioning submission at the shrine of the Union. According to them, the compromise has settled the vexed and threatening issues of the day, and we should scarcely abide by it, frowning upon all agitation in connection with the interests of Slavery. Now, there might be some propriety in such lectures if they were founded upon correct premises. What is the state of the case? The North opposes Slavery, and would rejoice to have it extinguished. Nobody doubts that. The Compromise in which was involved questions vital to slaveholders and the slave States, is passed, and by it slaveholders and slave States are defeated in their most important claims. That cannot be denied. The South, seeing that gross injustice has been done her, and feeling that she is wantonly denied her equal position in the confederacy, gravely takes into consideration the duty which such circumstances impose upon her. She feels a fatal readiness on the part of a majority of the Congress of the United States to usurp the power of legislation over her domestic institutions, and she feels alarmed by the outrage. At the same time she sees the North still unsatisfied, notwithstanding her victory. The Compromise, which was to have settled everything, seems to have but opened wider the sluices for the progress of her foul fanaticism. See what she is doing now. Hear the story Brownson tells of the position and purposes of her Freesoil agitators. Shall the South, in the face of all this, rest quiet, submissive and uncomplaining? Shall one portion of her citizens frown indignantly upon others, because they have a livelier sense of the evils threatened, and dare to point boldly to the consequences of their continuance? It is singular, and a sad thing too, that many men of the South have no more charity for those among them who are most zealous and extreme in their assertion of Southern rights, than those of the North who threaten the worst of evils to Southern institutions.

The wonder with us is, how any Southern man can sleep in the quiet belief that all is safe, unless some of our own States should make it otherwise. There are thousands upon thousands who talk as if the only danger that now threatened was from South Carolina and the secessionists. Why do they shut their minds to the facts that demonstrate their error. If they mean danger to the Union probably they are correct, for those who would destroy us prefer to have the machinery of the Union to accomplish their dire purpose with, and the Union therefore is in no danger from them. But we have *rights* which are threatened with danger—rights as high, as priceless, as inestimable as the Union itself. Shall we overlook this in our zeal to check those who would secede from the Union to save themselves?

Look at the facts, and study them well. Why does the North still keep up its Freesoil organization? Is there any possible thing touching Slavery upon which they can now operate that will not strike directly at the institution itself? Nothing: yet, what do we see? Freesoil agitation still goes on. The freesoil test is applied to candidates for public favour. The Freesoil party is growing and strengthening every day. They have control of several large and powerful States. They scarcely talk of any issue than that raised by Slavery. They avow it to be their design sooner or later to get rid of Slavery. Now what does all this purport? If it does not mean a blow to Southern institutions, and if there is not exhibited a power, rising and increasing daily, to make that blow effectual, our optics are widely misled. The *motive* cannot be mistaken, whatever be the result; for in the present state of political questions, there can be no other motive than the abolition of Slavery to prompt Freesoil effort.

In view of such a condition of things, what shall be done? Expend curses upon secessionists? Alienate men of the South from each other, because some are willing to go further in defence of Southern rights than the rest? How much better would it be to warn this immense Freesoil power that it must cease its aggressions? How much better to strike at our enemies than at our friends? Why fume and fret about a claim of the right of a State to secede, when it is almost certain that if you put down Freesoilism no State will secede; and almost equally certain that if it is not put down, right or no right, the South will secede in a mass? We think those papers which lecture Southern men to keep calm and quiet, have quite different duties to perform if they are very particularly anxious to save the Union—*Floridan & Journal.*

Selections.

MEETING OF MR. THOMPSON WITH HIS CONSTITUENTS AT KINGSLAND IN THE TOWER HAMLETS.

[CONCLUDED.]

Mr. THOMPSON rose, and invited his constituents freely to question him with reference to his past proceedings. He declared his intention of penetrating every part of the borough, and if there were any locality worse than another where there existed a larger amount of dissatisfaction than elsewhere, there he desired to go.

Mr. ROBERT SMITH (of Dalston,) then came forward and said:—It gives me much pleasure to see you, sir, presiding over this meeting, as it would also have done to have seen Mr. Clarke in the same position, and for the same reason. In this assembly, there are, no doubt, many persons professing—and I trust also practising, Christian principles. The more I think of what the Christian name and profession really imply, the more pleased—nay, delighted—am I to find a man like our friend Mr. Clarke, and you, Sir, in the chair, upon such occasions as these: men whom I believe to be not merely professors, but possessors of the vital truths of Christianity, and understanding those truths so well as to carry out and enter into the advocacy of those questions which are involved in our meeting to-night. I hold that no Christian man, be he who he may, or in whatever circumstances he may be placed, can really understand or fulfil his vocation, unless he exerts all his influence, social, commercial, and religious for the welfare of his fellow-man. I appear here to-night, although upon the platform, and invited by some of my friends, yet without their knowing my views with regard to Mr. Thompson's absence. Mr Thompson's friends would not be acting properly towards him, did they disguise from him the fact that an amount of dissatisfaction has been produced by his absence. It is not a question whether Mr. Thompson's principles are changed. If there is any person present who thinks the principles of our honourable friend have altered since we did ourselves the honour, as I esteem it, to elect him as our representative in 1847, let him hold up his hand, or state in what respect Mr. Thompson has thus failed. The question then resolves itself into a narrow compass—was the absence of Mr. Thompson in America for four months of the present session, he being at the time our representative, right or wrong? Now that is a plain question, and let us meet it fairly. I was present at the triumphant farewell soiree given to Mr. Thompson at the London Tavern, on the 16th of last October, when every one present felt and expressed so deep an interest in the mission upon which he was about to proceed. But Mr. Thompson was absent much longer than he then expected: and I for one must tell you, that which I have expressed in private, that I was disappointed at his prolonged stay in the United States, and more especially at hearing nothing of him during his stay in that country. I think it is but fair and candid in me now, in Mr. Thompson's presence, to tell him, that I think he should have written to his constituents, explaining to them the causes of his detention. But now he is back, and has given us a statement of the circumstances in which he has been placed; and I dare say he will also reply, and I hope satisfactorily, to the point I have raised respecting his failure in writing. If he can give us a sufficient answer to that—and I doubt not a man of such unswerving principles as himself can do so—then what else remains between him and us? I can see nothing. If any one else can, let him declare it. But let us, gentlemen, for a moment fairly consider the magnitude of the work in which he has been engaged. How many men in the world are there, who either could or would have undertaken such a mission? It is very easy for us to talk; but when we come to work, when we encounter difficulties and dangers, how many of us fail! It requires a vast deal both of moral and physical courage to enable a man to enter upon such a fearful encounter as that from which Mr. Thompson has just returned. But, gentlemen, he did not receive that friendly welcome upon his appearance in America which he had a right to have anticipated. He had reason to suppose, from the long years which had elapsed between his first and second visit, that greater good had been done. But, alas! there is opposition and enmity to the anti-slavery cause in America, in quarters where it ought to receive its greatest encouragement and friendship. It is deplorable—it is most lamentable, that men of the brightest standing as ministers of the gospel in the United States, have become imbued themselves, and have indoctrinated their people, with feelings of the most bitter hostility to the emancipation of the slave. This is the most deplorable instance which the present age can furnish of apostacy from Christian principle. I will now repeat the feeling of disgust and sorrow which I gave expression to at a recent meeting, that even that prince of all American preachers,—and I hope that Mr. Thompson will contradict the statement, if he is able,—Dr. Gardiner Spring is not even left out of the category of those who disseminate pro-slavery principles. Yes, my friends, that very man, who, nine years ago, came to this country, and was received by us, as I have said, as the prince of all the ministers from that land, is one of the foremost and most bitter enemies of the slaves, and if he is so, what must be his flock? for know there is great truth in the saying, "Like priest, like people."

Mr. THOMPSON.—While I was in America, a New York paper announced to the world, that the Rev. Gardiner Spring, D. D., Pastor of the Brick Church in that city, in the course of a sermon delivered by him in his own pulpit, gave utterance to the following atrocious sentiment:—"If by one prayer I could liberate every slave in the world, I would not dare to offer it." (loud cries of "Shame, shame;" hisses, groans, and great sensation). Now that statement has never since been contradicted or recalled by that reverend divine.

Mr. SMITH—Gentlemen, in one point of view, I think these meetings of Mr. Thompson with his constituents are very gratifying and complimentary to him. A gentleman who spoke this evening, referred to the old aphorism, that if a man be bad, his absence is not missed. Well, now if the reverse of that proposition holds good, which no doubt it does, Mr. THOMPSON must be a good man, for he has been very much missed indeed in his absence (hear and cheers). But as we who are married are not expected to be out too late at night, but are required to be at home in proper time, and are lectured if we are not, so Mr. Thompson must expect a kindly lecture from us, not for being gone from us so long, but for not writing and telling us what he was doing (laughter). From the time of Chartist operations, there has been a healthier under-current, as I deem it, going on in the political world, through the instrumentality of the National Reform Association, which is bringing about—I am no prophet, but the fact is plain upon the surface of public matters—a better state of feeling, and which has brought out my Lord John Russell in favor of Parliamentary reform to an extent to which he would not have gone, had it not been for the organization of which I have spoken. There are liberty-hating, as well as many more who are liberty-loving people, in this great constituency; and had Mr. Thompson, or any other liberal member, been absent without any hubbub being made about it, an argument would have been raised against the National Reform Association, or the friends of Liberal principles in the borough, and they would have said—'Here is your member absent from his duties and yet you all remain very quiet, and do not, notwithstanding all your talk about looking after your members in the performance of their duty, concern yourselves at all about it.' This very agitation about Mr. Thompson will, I hope, lead to the adoption of the same course which we are following between representatives and represented in every constituency containing anything like the same amount of intelligence and numbers, as that constituency of which we form a part. While Mr. Thompson was absent, I had many painful feelings respecting him. When I have been inquired of concerning him, I have, said 'Well, really, I do not know what he is about; but one thing I am quite sure of, that his liberal views have not changed.' Did you believe they had? (Loud cries of 'No, no).' I never for a moment had the slightest misgiving on that account. This, that and the other thought came into my mind, but never that he was a changed man, unless it were a dead for a living one, which, from the malice of his enemies I sometimes feared. But now he has returned; and as he, like some of us when we have been out late at night, has given an explanation, has set all things right, ought we not to feel something like a devout feeling of thankfulness to God for his preservation? (Hear). I should feel myself unworthy and uncomfortable in standing before you to night, did I not give expression to my devout feelings of thankfulness to God, that our dear friend Mr. Thompson is returned to us and his family (cheers).

Mr. THOMPSON.—My friend who has just sat down has laid his finger upon a very sore place, and I had better, therefore, make a clean breast of it, and say, that he cannot censure me more for my neglect in not writing, than I blame myself. But this I must say in extenuation—I did not mean to stop away. I had said before I left, that I would not do so, and therefore it was unnecessary for me, until my period of absence had expired, to write. When, however, that time had elapsed, I was in this condition, that from the hour I rose in the morning until the moment I retired to rest, exhausted by the labours of the day, I had no opportunity for writing. My time was incessantly taken up. Those, only, who have been in America, and know besides, what it is to be a public man there, and not merely to be a public man, and more than all, a man engaged in the hottest controversy which it is possible for a man to be engaged in anywhere—can understand what are the occupations a man has to pursue, and what the claims upon his time which meet him every hour of the day.—Often have I felt an intense desire that every elector and non-elector of the Tower Hamlets should know what I was doing. Now here, let me say, while I confess my own sins, that there are those in this country who are deeply responsible for the ignorance that existed during my absence, as to what I was doing. There is an Anti-Slavery Society in London (hear, hear)—and my friend must excuse me for drawing from me this remark. There is an Anti-Slavery Society in London, and that society publishes a periodical, called the Anti-Slavery—what? 'The Anti-Slavery *Reporter*. The conductors of that paper—the committee under whose management it is presented to the world, and the society by whose money it is supported—were just as well aware by every mail of what I was doing, as if I had written by quires full to tell the world. Had that paper from time to time devoted but one of its columns out of its sixteen pages to that information, my friends in the Tower Hamlets would have circulated the contents of that column over the forty square miles of which this bourough consists (hear). I did not conceive it possible that I could have been every hour of every day engaged—the observed of all observers, the hated of all haters, though by thousands I was loved and cherished—I did not think it possible, until I returned to know the fact, that fortnight by fortnight, and week by week, mails had arrived and papers had been laid upon the table of that office, in the very range and view of my constituents, and yet my constituents should be allowed to remain in ignorance of the work I was doing, and of the reasons which I constantly assigned in my public addresses for my absence. Everybody in America knew that I was member for the Tower Hamlets.—Every paper that was posted to me, referred to my absence from my bereaved constituents. They earnestly wished—and I believe most sincerely so—that I was amongst you again. If the wishing of millions would have sent me back from the United States, I should have come; if courses would have sent me back, I should have come. If a free passage could have tempted me, or a few thousand dollars could have influenced me, I might have said how many, and I should have had the money, and have come back. Well, however, papers did come to England constantly, which informed my friends what I was doing; and I trusted that those papers that came regularly by every mail, would have been received in the place of those letters that I was unable to write; at least, so far unable, that my whole time was occupied. But if I had contemplated staying—if at any moment I was exceeding my term of absence, I should have felt it my duty to write. But with all these extenuating facts, I do not excuse myself: I ought to have written. I write myself down guilty in that respect. I can only plead the circumstances to which I have referred. I regret above all things, not so much for myself as the character of the journal of that Anti-Slavery Society, which should be in reality, what it pretends to be in name, and have given the world from time to time some account of what I was doing. I believe I have now met, as well as I can, the objection against my conduct, referred to by Mr. Smith (loud cheers)

Mr. SAVAGE—Mr Chairman. It appears in this meeting, as out of it, behind Mr. Thompson's back there are a great many grumblers, but in his presence they are all dumb dogs. Let us look at all the circumstances attending his visit to the United States. Let it be remembered, not only that he was received with execration and opposition when he landed in America, but that the Americans were invited to receive him in that manner by professedly religious men here (hear). That simultaneously with his appearance in America, almost going in the same vessel in which he himself went out, arrived the *British Banner*, containing the false statement that George Thompson, on the other side of the Atlantic, represented only himself (cries of 'shame'). Yes, John Campbell told the Americans that infamous falsehood; and having done so, he refused to insert a letter in the *Banner* promptly written to contradict his assertion (shame). Twice did the *British Banner* hurl its anathemas after Mr. Thompson. But such conduct on the part of professing Christian ministers is nothing new. Fifteen years ago, those who had talked eloquently against Slavery here, held out the right hand of fellowship to the slaveholders across the water. Because Mr. Thompson then did his duty, they put forth cautions against him, alleging that he was not a communicant with certain religious associations. These were put forth in '*The World*' newspaper. But as soon as Mr. Thompson arrived in England, they were all as dumb as Dr. Campbell is now. When the question was first written on the corners of the streets by some of those persons that meet at the Dolphin, 'where is George Thompson?' do you think it was because they wanted to see him back again? No, they would much rather he would have stopped in America. Do you think that Lord John Russell, who put his name at the back of a Bill to make crimes, and sent his bludgeon-men to attack the peaceable inhabitants of our part of the Hamlets, Bethnal Green, that he, when he sneered at Mr. Thompson for his absence, took any real interest in our welfare (cries of 'no')? Not a bit. No, my friends, I see we are all agreed upon that. And if he had censured Mr. Thompson with any such motive, who are the persons to call our member to account, if it be not ourselves? Do we need to ask Lord John Russell to do it? Why did not he look after the interest of the constituency of Southwark, when a member for that borough went to the continent, and when he came home boasted, at a public meeting, that himself and wife had sat in Italy for two figures, the one as Adonis and the other as Venus (laughter). But no, the Premier did not interest himself about the movements of that honourable member when away from his constituents; and what is more, his own constituents did not. When the Tower Hamlets did themselves the honour to elect a man whom they could not bribe, and whom they would not if they could (cheers)—when they proved that they acted from principle by choosing a man who would most truly represent their principles—do you think that Mr. Thompson was not perfectly aware that every man that took an active part in his election would be much more lynx-eyed than those persons who were anxious to get rid of him? Mr. Thompson knows well, for example, the character of the Chartists, with whom he has associated from a boy, and he is well aware that they watch with jealousy all the movements of every man who comes forward to advocate their cause and principles. Do you think that those men who now say, 'where is George Thompson?' and made a great noise at his absence, would not have been the first to brand him as a coward—if, when his rights as an Englishman were attacked, he had not stood forth and vindicated them? if, when his rights and the rights of others were assailed, he had said, 'Oh, I am in a hurry to get back to my constituents! I have heard there is a dispute about ecclesiastical titles, and the church is in danger, and for the sake of that beloved spiritual mother and her bishops, I must hasten home, and leave you to settle these matters when I am gone' Certainly he might have thought like some reverend gentleman who lives across the way, that there being danger, the best thing he could do was to occupy his time by reporting progress. No, no; he was making a valiant stand against the tyranny of the pro-slavery party in America. And why did not John Scoble support him (hear)? Let him answer that; and when he can do so satisfactorily as our honourable member has answered for his absence, then we will give him respect as we now do to our member (cheers). I doubt however, whether he will ever be able to do that. So far from thinking that our member was not doing his duty in America, I consider that he was acting the part of a noble hero. Where the battle of freedom is hottest, and the attack upon the champions of liberty the fiercest, that is the place to which a brave man will rush; and Geo. Thompson did not flinch in the most fearful part of the encounter. He was there to vindicate the right of Englishmen to speak in behalf of humanity. He was there to claim for 3,000,000 human beings, not merely the political franchise, but the right to their own personal existence; to vindicate those principles which all of us, I hope, are prepared to maintain, that as we would have others do unto us, so we would do unto them, also, irrespective of country or colour. Yes, when George Thompson was thus labouring in America, he was doing our business, and instead of censure, is entitled to our hearty thanks. Had he come home, and shown a white feather, we should have been ashamed of him; and, what is more, I believe he very well knows that in the Tower Hamlets there are not a few who would not have hesitated to have told him so. There are men in this borough, however highly they respect him, who would very soon let him know their opinion, if they considered him guilty of any dereliction of duty.

I will not, my friends, waste your time, and insult your understandings, by attempting to discuss the question, as to whether it is, or is not consistent with the Christian religion, that Slavery should be abolished. It is quite clear that between the professed Christians on either side of the Atlantic, there is a wide difference in the views they promulgate on the subject. We will leave the divines to settle that question among them: with us there is not the slightest difference of opinion as to the right of man to be his own master, to protect his own progeny, and to defend them from the grasp or pollution of any ruffian. That is a right, which, independent of any creed, has at all events been given him by nature; and it is treason in any individual to attempt to invade that right. Every man, whether it be in his own country or not, when that right is attacked, is bound to come forward in its defence. We cannot expect that all men will be able to display the extraordinary fortitude and heroism of our friend here. We have had abundant proof that if we want a sincere and noble man to fight the battle of freedom, George Thompson is that man (loud cheers). If we want a man with courage to beard the tyrant, either here or elsewhere, that is the man whom we are now honoured by having as our representative in the Tower Hamlets. If we want a man who will do his duty, and is not afraid to face his constitutents, here you have him in George Thompson. I ask you to point me out any one man in the whole 656 members of the House of Commons, who would have made the sacrifice for the cause of liberty which he has done. No, my friends, the electors, of the Tower Hamlets did themselves honour in the election of George Thompson. They thereby placed themselves above all suspicion of being influenced by such motives as those which decide the elections at St. Albans or Harwich; and I know that this constituency will again do themselves honour in electing George Thompson, and vindicating his course both in and out of Parliament against the attacks of his enemies (loud and prolonged cheering).

Mr. POCOCK read, amidst great applause, the letter from Frederick Douglass, apologizing for his absence from the farewell Soiree given to Mr. Thompson, and which was inserted in the *Liberator* of June 27th. That, said Mr. Pocock, was a letter written by one of a race for whom Mr. Thompson has laboured not for four months merely, but during the whole of his public life. I confess I can see no valid reason why the Anti-Slavery Reporter should not have copied some of the extremely interesting and important particulars of Mr. Thompson's recent mission in America. The British and foreign Anti-Slavery Society had at least the same means of getting them as a humble private individual possessed (hear). I cannot see how they can escape from the charge of guilt in not having done so. What the motive can be for this suppression of truth, I cannot tell (hear).

Mr. BURR (amidst much impatience) put the question which Mr. Thompson had previously answered, respecting his not having written. He (Mr. Burr) also considered the position of the member for that borough and a public lecturer, although upon very important subjects, utterly incompatible (cries of 'Oh! oh!) His absence caused the borough to be non-represented, an evil greater than misrepresentation

Mr. THOMPSON then arose and said—I am very happy that the gentlemen has referred to this matter, because it furnishes me with an opportunity of giving what I hope even he will consider a satisfactory answer. In the first place let me observe, that I have been incessantly, without the intermission of of a month, save only when I have been upon the sea,—and even then I was bound on an errand of reform,—a reformer practically as well as in principle. During that period I have learned, what every day's observation confirms, that to have good legislation within the House of Commons, you must have enlightened, sound, and concentrated public opinion out of that House. I might refer to the many great reforms that have been obtained by the people of England during the last fifty years. Those reforms have been carried out of doors. The matter has been settled by the people out of the House of Commons before there have been any symptoms of legislation within it. These reforms have not been spontaneous; not one of them originated in the House of Commons. It was the determined will of the Dissenters many years ago that obtained for them relief from their disabilities, and abolished the Test and Corporation Acts. It was no eloquence in the House of Commons, and no advocacy of Lord John Russell himself, or the entire phalanx of Whigs in opposition, that carried that measure: it was effected by the handed energies of reformers out of doors. Then again if you proceed to the Catholic Emancipation Bill, a measure which wrested something like justice for the people of Ireland, from a Parliament of Orangemen, you find again that it was agitation out of doors, and not a spontaneous disposition within doors to grant that measure, that finally obtained it. If you come down to the Reform Bill of 1832, you find that it was not carried by my Lord Melbourne in the one House, or my Lord John Russell in the other, but you find Lord Melbourne himself, and the Whigs, promoting agitation out of doors, and where it was *in fra dig.* for them to go, they secretly promoted great meetings at Birmingham and elsewhere, for the purpose of enabling them to carry this great measure, as it was esteemed to be, of Parliamentary reform. If, subsequently, we extorted from a Parliament of landlords, a measure which extinguished the corn laws, it was again through external agitation. Will that gentleman who has just taken his seat say, that Mr. Cobden was wrong while for seven years he abnegated his Parliamentary functions? Will that gentleman—and I challenge him to be candid to-night as I am—say now, with the heaven-light of experience guiding us, and the realized results in the cheap large loaf instead of the dear small one, that Mr. Cobden, as the member for Stockport, ought to have been in his seat in the House of Commons, and not on a platform at Manchester or elsewhere, rallying the people to overthrow the monster monopoly of the landlords (cheers)? No, Mr. Cobden's influence in the House of Commons at that time was *nil*. There his eloquence, unadorned, was thrown away; there his facts fell upon listless ears or empty benches. He might have been in the House of Commons from the year 1801 to the year 1851 had he never been an out-door agitator, enlightening the public mind, awakening the public sympathy, and enlisting the public energies. Had he relied upon the House of Commons, you would have been under the dominion of the landed aristocracy to this hour; and the large loaf which we now possess, would have been a mere empty vision, upon which I think you never could have fed your families. But the gentleman has, somewhat in a sneering manner, talked of lecturing and agitation, and my being agent to a Society.

Mr. BURR:—I beg you to rectify that statement, I said no such thing (cries of 'Yes, you did'). I said agent of the Anti-Slavery cause. I guarded against that.

Mr. THOMPSON:—Very well, let that be. Well now we come to the offence I have committed in being some time absent from the House of Commons. I say, emphatically, that if you are going to shut me up entirely, in an assembly where I can do nothing, clip my wings, cage me, and leave me to talk to the roaring occupants of the benches on the other side of the House, because I happen to say that I have a pride in representing such a constituency as that of the Tower Hamlets, why then you must find another bird to cage (cheers). But what have I been doing when absent from the House of Commons, during the last Parliamentary session? When I was absent from the division of the repeal of the window duty, for instance, what was I doing? I was then in the north of England, endeavouring to awaken up and not in vain, a feeling in favour of the great and all-comprising measure of Parliamentary reform.—

I am far from objecting to the repeal of the window duty, but I want to give the vote to the unenfranchised to enable me to get rid not only of that but other duties. I would clear our coasts of those pestilences, nuisances, and hot-beds of fraud and crime—the custom-houses of our country. I would place the burden of taxation where it should be borne,—not heaviest where it should be lightest, and lightest where it should be heaviest. And is this to be done by nibbling at a window tax, when, if you cut off a yard at one end, the ministers will put on two at another? No, I have even said within Parliament what I now say without it, that if you want to have responsibility to the people, you must have men elected by the people, legislating for the interests and happiness of the people; and you will never get it till the crack of doom, until you make the House of Commons, really and truly, what it never yet has been, a representation of the people. But the gentleman must be informed, if he is not already aware of the fact, that I did not thus absent myself from the House of Commons without leave from my constituents. A meeting of 5000 electors and non-electors was held at Sion Chapel previous to the session of 1850. I appealed then, as I have done to-night, in this district, to the largest number of my constituents that I could possibly convene together, and I said, 'Have I your consent, even during the sitting of the House of Commons, instead of there speaking to an impatient auditory, or not being able to catch the speaker's eye, have I your permission, in your name, to go forth and address the multitudes of my countrymen, and summon them to the great work of cleaning the Augean stable of legislation, and no longer to gather grapes of thorns and figs of thistles?' With one consent, and with one unanimous shout, they replied, 'You have.' This was my commission to go forth and be at Sheffield on the night when the window tax division happened to take place in the House of Commons; and the gentleman must pardon me if I turn from him, who is but one, to the authority of 5000 of my constituents elsewhere, and place the commission I then received from them over against the objection now urged by him (cheers).—The gentleman may vote for or against me as he pleases: he will please himself, and he will do right I have no doubt, while he pleases himself. This is my explanation of that part of my conduct to which he objects. I offer no apology. I have done for the cause of reform all that I could. Without measure and without stint, I have poured myself out like water in every part of the kingdom. While others have, by dirty votes, half-a-dozen votes in a session, saved themselves from dismissal at the end of the Parliament, I have exposed myself to censure by doing my duty out of the House, without grudging any expenditure of time and labour, and whether you elect me again, or whether you do not—or whether I have, or have not, that gentleman's vote,—I remain of the opinion still, that you could not do better, if you elect me again, than to say, 'George Thompson, go forth as the representative of the 'Tower Hamlets' to the unenfranchised millions of England; make the British Isles your House of Commons, nor ever enter the chapel of St. Stephen's until you shall carry with you those who shall fully and fairly represent the people of the United Kingdom' (loud and prolonged applause).

The resolution was then put and carried without a single dissentient. The passing of the resolution was followed by three times three cheers.

Mr. Robert Smith (of Kingsland) then came forward and said, 'Sir, before this meeting separates, I beg to submit the following resolution.

'Resolved, That this meeting has read with indignation in the public journals, the insolent taunt of the Prime Minister on the subject of Mr. Thompson's absence, and hereby expresses its hope that the electors throughout the Tower Hamlets will give emphatic expression to their determination to submit to no interference in a matter which belongs exclusively to the member and his constituents.'

Mr. Thomas Dick, in seconding the resolution, said—We are apt to mistake causes and effects: we do not recognise fully what the Tower Hamlets did, when they elected Mr. George Thompson by such a majority as afforded the most magnificent protest that ever was given against the finality of the Prime Minister. Finality has never appeared in high quarters since that election. The *Morning Chronicle* said that if the minister was going to keep his place, he should weigh the signs of the times, beginning at the Tower Hamlets.—Lord John Russell took the hint from the *Morning Chronicle*, and has consented to extend the suffrage, and give a number of other reforms (cheers).

The resolution was put and carried unanimously

Mr. Thompson, in moving a vote of thanks to the Chairman, said, I will first take the opportunity of returning thanks for myself. I have been extremely gratified at the result of the three meetings which have now been held between myself and my constituents, two of those meetings having been much larger than this. At each of these my duty has been acknowledged to vindicate the rights of man over every rood of the earth's surface. If I adhere to those principles, do you adhere to me. By the advocacy of them, let us stand or fall; as Heaven shall prosper or as man shall conquer: but if I should ever desert them, then desert me. Whatever may become of me, do you remain true to those principles; and let it be seen throughout the United Kingdom that you prefer them to any blandishments which rank or any allurements with which wealth can entice you. Support me only as I support them. Blended with poverty they must be, but blended with honesty they shall be (loud cheers).

Mr. Harding having seconded the motion, it was carried unanimously.

The Chairman having returned thanks, three cheers were given for Mr Thompson, and the meeting separated.

Dear Sir·

The foregoing pages will conclude the report of the Kingsland meeting The spirit of the meeting it is impossible to convey upon paper.

I am happy to inform you that the meeting to celebrate the anniversary of West Indian Negro Emancipation, and to welcome Mr. Thompson upon his return to England, passed off most triumphantly. I hope to be able, by the next mail, to send you a full report of one of the most interesting meetings ever held in the city of London, and that too presided over by a Fugitive Slave.

I am, dear Sir,

Yours most truly,

W. Farmer.

To W. L. Garrison, Esq.

MANUMISSION OF FIFTY-ONE SLAVES.

Executive Department,
Albany, Tuesday, Aug. 26, 1851.

The following papers (says the Albany *Evening Journal*) concerning the manumission of fifty-one slaves in Louisiana, and their settlement in a free State, have been transmitted to the Governor of the State of New York.

He deems it proper to place them before the public, and to request that the philanthropic citizens of any of our towns or villages in this State who are ready to lend practical assistance to the cause of emancipation, by receiving the slaves when liberated and making suitable provisions for their employment and maintenance, will communicate the fact to Mr. Caldwell, with such information as may seem to aid him in the performance of his trust:

New-Orleans, Thursday, Aug. 14, 1851.

To his Excellency the Governor of the State of New-York:

Sir: As the Executor of the late Elihu Cresswell, (a copy of whose Will you will find annexed), the duty devolves upon me to transport, and locate in some Free State of the United States, the fifty-one Slaves of which he died possessed, say ten men, twenty-six women, and fifteen children, from five to twelve years of age.

The object of this letter is to inquire of you if there is anything in the Constitution or Laws of your State preventing or interfering with their location within its limits, should it be determined to remove them to it, for the purpose of liberation.

I shall also feel obliged to you for any suggestions as to the most desirable locality to which the said slaves could be removed; taking into consideration their being at once employed, so that they could support themselves, they having no means of their own.

Your early reply will confer a favour on

Your obedient servant, J. E. Caldwell.

ELIHU CRESWELL'S WILL.

State of Louisiana, City of New-Orleans:

Whereas, the uncertainty of life is great, and it is not left to the time and choice of human beings, I do herein declare this to be my last will and testament. I do herein will the freedom of my man servant Gabriel, whom I acquired by inheritance from my father's estate, and the sum of $50 to him for long and faithful services, that he may acquire his freedom in the Slave States, or be sent to the Free United States of America, as he may desire.

And I do, moreover, will and decree the freedom of all slaves that may belong to me at the time of my death, and that the slaves shall be sent to one of the Free States of the United States of America, and there liberated; and their names shall be registered in the Court as free persons, no longer to be held in bondage; and I wish the expense of such removal to be paid, first out of any moneys or assets that may belong to me, and in case there are no assets, that the slaves shall work at wages until a sufficiency is obtained to remove them as above directed.

My executors shall appoint some trustworthy man to attend the removal of the slaves, who shall receive the expenses and a just compensation for the removal of the slaves to the Free States.

And I further will and bequeath all the remaining of my estate, to Mrs. Sarah Creswell, my beloved mother, and in case of her death, to the heir of her body. And I do wish that my friends John E. Coldwell, (Caldwell,) of the firm of Edgill, Mullford & Co., and Mr. L. E. Simons, Attorney-at-law, both of this city, shall act as my executors to carry out this my last Will and Testament.

I would will my body to a respectful burial. My soul belongs to the Supreme Being, and I with pleasure submit to His will.

I have written this Will and Testament in a state of sound mind, and hope no mortal man will interfere with it.

This done this second October, 1848.

Elihu Creswell.

National Anti-Slavery Standard.

*** *All communications for the paper, and letters relating to its pecuniary concerns should be addressed to* Sydney Howard Gay, *New-York.*

†‡† *Donations to the Treasury of the* AMERICAN ANTI-SLAVERY SOCIETY *may be forwarded to* Francis Jackson, *Treasurer, at Boston; or to* Sydney Howard Gay, *New-York.*

THURSDAY, SEPTEMBER 4, 1851.

THE LIBERTY BELL FOR 1852.

As the time approaches when it will become necessary to take measures in reference to the publication of *The Liberty Bell*, we think it best through the medium of *The Standard* and *Liberator*, to bring the subject before the minds of such friends as have hitherto aided or may wish for the first time to aid us, rather than as heretofore, by private correspondence.

We trust that our friends who have hitherto coöperated with us will give their help none the less readily, that *we are prevented by want of leisure from bringing the subject before them in any more direct mode.*

We would say to those friends of the Cause designing to devote a specified sum toward preparations for the Bazaar, that we do not think their money could be more wisely expended the present year than in aiding the Bazaar's Annual, feeling as we do from year to year an increased assurance that it is in a variety of ways, irrespective of its pecuniary success, a most valuable and efficient instrumentality.

For the necessary funds we must therefore rely upon those friends whose position will enable them on this point to coincide in opinion with ourselves, knowing that we may safely trust to the Anti-Slavery friends throughout the country and in Europe for so extensive and beautiful a collection of articles generally, as shall exceed that of any previous exhibition.

We have received promises of literary assistance from many distinguished friends of Freedom both at home and abroad, and we earnestly beg all such to transmit their articles as early, if possible, as the 1st of October.

All communications and donations may be directed to Miss A. W. Weston, Weymouth, Mass.; or *Anti-Slavery Office*, 21 Cornhill, Boston.

JOHN BOLDING.

It is no doubt well that we come to take the names of persons and not of principles for our texts. In this great Anti-Slavery Revolution, as in all others, the progress of events brings us from the general to the particular, from the abstract to the concrete, from the assertion of universal truth to its application to single men. The popular mind is at length prepared for this. The living voice and the written word of Anti-Slavery have essayed a new application of the great practical injunction of the Christian Religion, that all men are brethren, and that each should do to the other as he would have that other do to him; and men have conned the lesson, and are getting it by *heart*—so much better always than when got by the head alone. For nearly twenty years has the doctrine of the sinfulness of Slavery been preached, and the wretched slave, in his miserable hut, under the lash of the brutal taskmaster, the victim of irresponsible power, of unrestrained passions, of inextinguishable lust, been pointed at as a sufferer, kneeling to us and, with upraised hands and imploring eyes, begging for succour; and our North has turned away to its money-making; turned away, it has seemed, with indifference to that dumb inarticulate prayer. But it has been only seeming. The twenty years of effort on one side have been twenty years of preparation on the other. The North has turned to its money-making, but with a consciousness that it had another duty also. It would not go to the slave, but, after long waiting the slave has come to it. He kneels now not only on the Southern plantation and prays that a brother's hand may be stretched out to aid him, but here in New York, in New England, in Pennsylvania, in Ohio, on our own doorsteps, at our own hearth-stones, he lifts up his imploring eyes and his beseeching voice. Twenty years ago, the fugitive could be led in chains down any village street in the Northern States, and no man cried shame! hardly a woman would look with pitying eyes upon the wretched captive. Now, thanks to the Anti-Slavery agitation, it is the doors of City prisons only that close upon slaves; it is only among city policemen that slave-catchers can be found: and even in city streets the terror of loaded pistols and drawn swords is arrayed against the indignation of an excited populace.

The Fugitive Slave Bill has come in good time. The people are ready for it. They watch its operation with anxious eyes and beating hearts. They count its victims. They can not forget the mother who is torn from her children, and sent back to Southern servitude, bearing beneath her bosom the unborn child to be born a slave. How Long and Sims comport themselves is chronicled with careful fidelity, and read with the interest which waits on the actions and movements of men of note. Will patience endure forever? Shall we not learn, now that we are taught aright to look on these things, what Slavery is at a distance by Slavery in our own Free States? Daniel Davis, whom the law declares is not a slave—let him be thankful that his judge lived in a rural district—is captured as a savage takes a wild beast, by breaking his head before binding his limbs. John Bolding, whose rural retreat, unfortunately, was too near a metropolitan Union Committee, is captured not by a blow, but by stratagem. A Marshal of the United States, the son of one who signalised himself in quite another sort of warfare, invests and invades a quiet tailor's shop, and by force of arms captures the harmless workman sitting therein cross-legged, plying his busy needle. Truly a great man is this Marshal, and engaged in a noble work! From the tailor's bench he drags his dangerous prisoner, and, by private carriages through by-streets, and private cars over the swift railroad, he hurries him to the city where his captivity may be sure, under a sufficient guard of Union Committees and slave-catching police. And who is John Bolding? Perhaps he is a white man. Perhaps he is an Indian. At any rate, even if some few, or if many, drops of African blood course through his veins, *he is a man!* That fact thousands are confessing this moment in their hearts, and with their lips. Does he 'owe service' to some other tailor at the South? He leaves behind him, thousands will remember, one to whom, in the sight of God, he owes a duty; one who will kneel a widowed wife in a desolate home, who will clasp soon to her bosom a fatherless child, praying for strength for herself to bear this bereavement, and for him that, in the torture of the mind, he may forget the torture of the body which probably awaits him, and to inflict which is made a part of the price of his ransom. But perhaps he may not live to be ransomed. This also she remembers in the hour of her agony; this he remembers; and whether he be or not, shall the seizing of this man, a good citizen, an industrious mechanic, a tender husband—this captivity, with all its certain consequences and its possible results, shall it be forgotten? Is it passing by unheeded? Verily, we believe not. This lesson which the South, and the creatures of the South, is teaching us, is sinking into the hearts of the Northern people, and, in good time, will have its results.

A full report of the trial of Bolding we give below, collated from the reports made in the daily papers. In it will be found a full statement of all the facts of the case, and the evidence upon which he was adjudged a slave, from all which the student of American Jurisprudence will learn how much the liberty of the citizen depends upon the shade of complexion, the height of the cheek-bones, and the curl of the hair.

CASE OF JOHN BOLDING.

FIRST DAY.

U. S. Commissioner's Office.—The case of John M Bolding, claimed as fugitive slave, the property of Barret Anderson of Columbia, S. C. The Marshal, H. F. Talmadge, Esq., we understand, on Tuesday, at Poughkeepsie, appeared with a view to making return to the habeas corpus. There appeared to have been an irregularity in a copy being served upon the Marshal instead of the original. The return alluded to accompanying papers, viz: the warrant of Commissioner Bridgham, in which the Commissioner states that John Bolden, a person held to service and labour in the State of South Carolina, did, in and about the year 1847, escape into another State, and is now in the town of Poughkeepsie, and requiring the Marshal to arrest him, &c.

The other paper accompanying the return was the writ of habeas corpus granted by Judge Barculo at Poughkeepsie, requiring the Marshal to produce the person of John M. Bolding, or by what name he may be called, &c.

The Marshal, as already stated, immediately repaired to Poughkeepsie, leaving Bolding here. At Poughkeepsie, we understand, the Marshal informed the Court he had been advised that the return was irregular, and he was not required to take notice of it, but he did so out of respect to the Court. He then made return as follows:

"I, Henry F. Talmadge, Marshal of the United States for the Southern District of the State of New York, make return to the forgoing paper purporting to be a copy of a writ of habeas corpus. Protesting that no service has been duly made of a writ of habeas corpus or other process obligatory on this retnrnant, he says that he holds and detains in his custody John Bolin, named and described in said paper as John M. Bolding; that he holds and detains him under and by virtue of a warrant, a copy of which is hereunto annexed; and I further return that I now hold and detain said John Bolin in the City of New York for examination before said Commissioner pursuant to said warrant, said examination being now pending. H. F. T."

Judge Barculo, we understand, stated that the proceedings was irregular, and that the Marshal was not bound at all to have taken notice of it. The Judge then dismissed the whole of the proceeding. Another writ of habeas corpus was then got out at Poughkeepsie, and served upon the Marshal in the Court-room there, but this was also irregular, as it should have been served at the office of the Marshal in New York; so, that no writ of habeas corpus is now pending.

The examination was expected to have taken place yesterday forenoon, and a large number of persons were in the Court-room, (where we are pleased to see the Commissioner intends to hold the examination,) and a number of coloured persons were in the galleries. Geo. Wood, Esq., appeared on behalf of the claimant, and E. D. Culver, Esq., for Bolding. The Commissioner (Joseph Bridgham, Esq.,) took his seat, but announced that he was exceedingly unwell, and would have to adjourn the examination until Thursday. Mr. Culver rose and stated that the 9th section of the State law of 1840 (the only section which has been held as constitutional) makes it the province of the District Attorney to attend on behalf of the person claimed to be a slave, and he would ask that the District Attorney be now requested to do so, or that he (Mr. C.) might be substituted to act in the case in his stead. Mr. Wood said he would have no objection.

A delay of some little time took place to see whether or not His Honour Judge Betts could take charge of the examination, but it was finally announced that it would be adjourned.

Mr. Culver, by permission of the Commissioner, then rose and stated to the audience that the case would be adjourned to Thursday. He would also announce that negotiations are going on with a view to the purchasing this man from the claimants, and a proposition has been made by the claimant as to the amount he will receive. It is a very hard case. Bolding is a young man of good character and standing; he has recently married a wife, and has a little shop in Poughkeepsie. His friends feel it a hard case, and if an effort can be made to raise the required amount the young man will feel deeply grateful.

The counsel, in a low voice, asked Mr. Wood if he might name the amount, but we believe assent was not given.

Bolding, as already stated, is a mulatto young man. He says, we are informed, that he was told in his childhood that his father was a white man, (whom he named) of good standing—that he (B.) was taken from his native place to Columbus and sold.

He is said to be a valuable man, regularly bred a tailor. The claimant is one of a firm engaged in the clothing business, and gave, we understand, $1,100 for him. He asks for the freedom of Bolding, $1,500, and $220 expenses, making in all, $1,780.

While Mr. C was speaking to the claimant, after the adjournment, as to the terms, a person in a pretty audible voice said: "He must go back!" meaning apparently by that, the owner should not sell his freedom, but he must go back at any rate. On being inquired of, he said, he did not have any interest in Bolding, or connection, in any way, with his claimants. He might possibly be a southern man, but there appeared to be a doubt even of that.

The examination will probably proceed to-morrow at 10 o'clock.

SECOND DAY.

The Court-room was filled at the hour yesterday forenoon, appointed for the examination, and kept open till 11 o'clock, when Mr. Tallmadge, Marshal, announced that the Commissioner is still unwell and unable to proceed. The examination will, therefore, be postponed. During the time some little conversation took place in the vicinity of the counsel's table, (but not on the part of counsel) as to the abstract question in regard to Slavery, &c, but nothing of any consequence.

After the Marshall had announced the adjournment, Mr. Culver rose, and said by permission he would say a few words in regard to the situation of the case to those present.

Negotiations, he said, have been pending the last 48 hours in relation to the purchase of the young man. It is well known to most of you that a proposition was yesterday made by the claimant as to the lowest amount he would take, and I communicated the fact to the young man's friends in Poughkeepsie. I was informed, however, immediately after the adjournment of the Court, that a new condition had been started—that he must first be taken back to South Carolina. We would entertain no such proposition and the claimant has since withdrawn that condition, leaving the matter as it was at the first proposition yesterday.

I will also state other facts. I have intelligence from Poughkeepsie that there is a deep feeling there. This young man has been four years in that place, come from where he will, and has maintained a very respectable standing for one of his kind. He is an industrious man, and his master says he is worth $2 a day to him in South-Carolina. He is an exception to what some have said is a general rule, and able to take care of himself. He has been married in Poughkeepsie to a girl almost as white as most of our girls here, and a clergyman writes to me that she is a member of his church, and a fine Christian woman. She has been thrown into deep grief by this occurrence. He could not take leave of her, being brought suddenly away, in the old clothes that he had on. She wanted to come to New-York to take leave of him before he went south, but her physician says she cannot do so, and her anxiety is beyond bounds. I am told that $1,000 will be raised in Poughkeepsie on his behalf, as a good deal of feeling exists there I am also informed by Mr. Talmadge, Marshal, that gentlemen in the Hall and Court-room will give $200, which can be raised at once—leaving $500 to be raised in this city.

The case will lie over till to-morrow morning, and if the $500 can be raised in different quarters of the city, it will be effective. I know that a great many of his friends say that the price asked is a high one, but the claimant says that he is an exception to the general rule as to value; and I am happy to learn that they do not hold him of any less value by his four years' Northern tuition, but they think on account of it he will be the more valuable.

We would have been willing, at once, to give him $1,100, which he paid for him, but he says he ought to have $1,500, and $220 expenses.

Mr. C. here said that if the claimant had taken a different course, and when informed that he had become married, say to him that he belonged to his wife, and not asserted his claim, he should not have gone back without remuneration. But Mr. Anderson has a right to make the claim, as he has. As to Bolding, Mr. C. said, nothing can be said against him but as to the colour God has given him—and all his crime is that his mother was a slave, as her mother was—and that his ancestors, on his mother's side, were stolen from their native Africa.

The remarks were followed by applause and hisses from the audience, which the officer in attendance endeavoured to suppress.

Mr. Culver then said, it will not be understood that we say anything in relation to the law. There are questions of law connected with the case, some of which might be decided in our favour—we only say that we have a right to buy our peace, and at as cheap a price as possible

The audience then withdrew. No time has been set for examination. It will probably proceed to-morrow, should Commissioner Bridgham be sufficiently well to take charge of it.

THIRD DAY.

Before Mr. Commissioner Nelson.—The case of John Bolding, the fugitive slave from Columbia, S. C. was heard before Mr. Commissioner Nelson, owing to the illness of Mr. Bridgham, who is yet confined to his room. Mr. Culver and Mr. F. H. Upton appeared for the fugitive, and Mr Wood for the claimants. After the Commissioner took his seat, Mr. Culver rose and said:—If the Court please, I will remark that, under the ninth section of the State act of 1840, it is there laid down that in cases where persons were arrested as fugitives, or having escaped from labour, it is the duty of the District Attorney to appear in behalf of the accused; but in the absence of that functionary, he (Mr. C.) would ask permission to act in his place. Permission was granted, and the Commissioner stated that he was ready to proceed in the matter. Over two hundred persons were present, and the galleries were lined with coloured friends of the fugitive from Poughkeepsie and others residing in the city

Alfred North was the first witness called on the part of the plaintiff. He testified as follows:—I live in this city, and have resided here since 1847; before that time I lived in Columbia, South Carolina; I resided in Columbia from 1829 till 1846; I am acquainted with Barnett & Anderson, the claimants in this case; I have known them since 1835; they are dealers in the clothing business in Columbia, and have been in that business since 1837 or 1838; I know the coloured man John Bolding; have known him since 1835; he was in Columbia, South Carolina, when I first knew him; he remained there till I left that place in the winter of 1847; I saw him constantly there; he was in the employ of Mr. Townsend Dickinson, in the capacity of a tailor.

Mr. Culver here raised an objection to a question put by Mr. Wood, asking witness if he knew Bolding to have been a slave while in the employ of Dickinson?

Witness—I was well acquainted with Mr. Dickinson; have often seen his handwriting; would know his handwriting.

The witness was here handed a piece of paper, which he recognised to be in the handwriting of Mr. Dickinson, and he testified accordingly. The following receipts are the contents of the paper:—

Received, Aiken, South Carolina, January 28th, 1847, of Messrs. Barnett & Anderson, $1,000 for my man John, by trade a tailor, the title to which I hereby duly guarantee. J. DICKINSON.

Received from Messrs. Barnett & Anderson, $75, in full, for all my claims on John for back wages.

January 28, 1847. J. DICKINSON.

Cross-examined—I think that during the last two or three years, he (Bolding) was in Columbia; he hired his time from his owner; and was at work for himself; I only knew that he was the property of Mr. Dickinson from hearsay; I am not aware that slaves in that part of the country are entitled to their freedom after a certain time, but I have heard of such instances; I do not know where he came from before he was bought by Mr. Dickinson; I went from Litchfield, Conn, my native place, to Columbia; Barnett and Anderson belong to the same firm; Mr. Barnett resides in Newark, N. J.; I know that Bolding hired his time, and agreed to pay so much a month to Mr. Dickinson; heard Mr. Dickinson say that John was not very prompt in his payments; never heard Mr. Dickinson's claim to John disputed; I have never been in a position to hear the right to the services disputed; I was near enough to hear a dispute of that kind had any arisen; I would have heard it had such been the case.

Alexander Falls sworn—I am acquainted with Barnett and Anderson, the claimants in this case; knew them since 1845; I knew John Bolding since 1847, when he was with Barnett and Anderson, working with them as a tailor; I was travelling North, in June, 1847, when I heard that Bolding had left his masters; he was not with Barnett and Anderson when I returned to Columbia, in October; the plaintiffs were doing business in the clothing line; the day before I left Columbia to come North, Mr. Anderson went to Augusta to purchase Bolding; it was in the latter part of January, 1847; after this time I saw him at Barnett and Anderson's; did not know John before I saw him in Columbia.

Cross-examined by Mr. Upton—I lived in Columbia, S C., since 1845; I now live there; was there when John was with Barnett and Anderson; before the year 1845 I lived North; I was born in this city: did not know where Mr Dickinson lived when I was in Columbia; understood he lived in Augusta.

Garrett V. Antwerp sworn—I live in Columbia, S. C.; lived there since December, 1836; am acquainted with Barnett and Anderson; I know John Bolding; I was also acquainted with Mr. Dickinson; knew him from the year 1836 till he died; he kept a clothing store in Columbia till 1838; I worked alongside of him; John was with him in the capacity of a slave; he was Mr. Dickinson's property; he was his property as much as that description of property is regarded in the South; in 1838 Mr. Dickinson went to travel for his health; before he left he hired his man John to Messrs. W. W. Walker & Stevens, and he remained in their employ for several years; think he remained with them till 1847; it was in 1847 that he was sold to Barnett and Anderson; saw him there till June 1847, when he was missed.

Cross-examined—I have lived in Columbia, S. C., since 1836; before that time I lived in Schenectady, State of New York; was born there; Mr. Dickinson told me he had purchased John Bolding in Petersburg, Virginia; I have been told by Mr. Dickinson that John was his slave; also by Barnett & Anderson that he was purchased and held by them as a slave.

Direct—I know that in his deportment to Mr. Dickinson, that he was a slave; I frequently heard him call Mr. D. "master;" sometimes I heard him say "Mr." Dickinson, in speaking to him, but not so often as "master;" in the South, the slaves generally address their owners with the term "master;" sometimes they say "Mr."

Cross examination resumed—I have seen Mr. Dickinson chastise John; heard him say to Mr. D., "Do not whip me, master, and I will do much better in future."

[Here Mr. Upton asked the witness to draw a difference between the deportment of the prisoner to his master as a slave, and what it might be had he been an apprentice.]

From witness—There was no difference that I could see; I saw him chastise John at one time, and reprimand him at another; I think John Bolding was eighteen or nineteen years old when I first saw him in 1836; it was in 1837 I saw him chastised by Mr. Dickinson; Mr Dickinson told me he had bought Bolding, his slave, in Virginia

James Fenton, sworn—I am acquainted with Barnett and Anderson, also with Mr. Dickinson; I know John Bolding, the prisoner, for about twenty years; I know him to be the property of Townsend Dickinson; I know him was his property, because he paid taxes for him as such; I saw him afterwards in the employ of Barnett & Anderson; saw him with them from January, 1837, till June, 1847, when he left; he was taken off by a white man, and brought to the North; one of his masters and Doctor Sill came North in search of him; I met them in Baltimore at the time; it was in 1847; I think Bolding was thirty-two or thirty-three years of age when he was in the employ of Barnett and Anderson.

Cross-examined—I live at Columbia; I have been there over thirty years; I went there from Charleston, S. C.; I am a native of Scotland; I keep a shoe store in Columbia; when I first saw John Bolding he was about eleven or twelve years of age; he had been in Columbia but a few days before I saw him; he was the property of Mr. Dickinson; I know this because he was in Mr. D.'s employ, and called him "master;" and I know Mr. Dickinson paid for him; do not know that persons are held in temporary service as slaves; I have heard of such instances but do not know of any; do not know that taxes are paid in such cases; I know from the owners' own lips how John left them; do not know by any other means.

Direct—When Bolding was with Dickinson, he was claimed as his property; he was put down in the tax-books as the property of Mr. Dickinson, and I know Mr. D. paid taxes for him; saw it in the tax-books, saw the receipts when Mr. D. paid taxes

Thomas W. Radcliff sworn—I was acquainted with Mr. Dickinson; I lived in the same house with him; I know Bolding since he was about twelve years old; I have known him to have been hired out to Walker & Stevens by Mr. Dickinson; he worked with them at the tailoring business; I also knew him in the employment of Barnett & Anderson, in Columbia; have seen him at work for them; I have lived in Columbia about thirty years; I am a jeweller by trade; I do not know that in the South all coloured persons call white persons "master" when addressing them; I have seen it recorded in the book of taxes where taxes were paid for John as a slave; taxes are paid on free negroes, or they pay taxes themselves, which is the same thing.

Cross-examined—I have lived in Columbia thirty years; I know that Mr. Dickinson paid taxes for John as a slave; saw it on the tax-books marked paid; do not know by any other means that he was Mr. D.'s property; Mr. Dickinson told me so several times.

When this witness left the stand, Mr. Wood informed the Court that he would bring the evidence to a close here on the part of the claimants.

Francis H Upton, Esq., counsel for the fugitive, then rose and spoke at length on the part of the defence. He premised by disavowing all design or desire to bring in question the validity or constitutionality of the law under which these proceedings are taken. The questions which might be made here, although not passed upon by the supreme tribunal of the United States as a court, had, nevertheless been considered and determined by nearly all of the Judges composing that court in their various circuits; and, therefore, all such questions would undoubtedly be regarded by this tribunal as *res adjudicata.* It is the law, and while it remains the law of the land it must be obeyed, and no good citizen should stand in the way of its execution. Under the law, the defendant had been arrested as a fugitive from service from the State of South Carolina, and he (the counsel) was there for the purpose of protecting him in the legal rights which he possessed, and seeing that if remanded back to a state of servitude, it be upon full and satisfactory proof, competent in law, that he is a slave—the slave of the claimant—and has fled from his obligations The affidavit upon which the warrant of arrest has been issued, is the affidavit of one Robert C. Anderson, who swears that Bolding, the defendant, owes service in the State of South Carolina to him and one G. C. Barnett, of Newark, New Jersey; and the first objection Mr. Upton urged, is to the validity of this proceeding, because Mr. Barnett neither makes an affidavit himself, nor is he represented at all by his power of attorney, executed in conformity with the provisions of the 6th section of the Fugitive Slave act. Mr. Upton cited the law, and argued at length that this objection was fatal to the validity of the proceeding. It appeared that Mr. Barnett now resides in Newark, New Jersey, and for anything appearing to the contrary, he was opposed to the arrest of the fugitive slave, and desirous that he should retain and forever possess his personal freedom. This, therefore, was not a mere technical objection, but as substantial as it is fatal. He next argued that the only material issue before the Commissioner, was *libera vel non*, and this issue of freedom or Slavery was to be tried and determined by satisfactory proof, competent in law. That the satisfactory proof competent in law to prove that the defendant was a slave, must, of necessity, be such proof as is competent to establish that allegation by the law of that land in which Slavery is tolerated—of that State, in which it is alleged the defendant was born, and from which he was brought by the claimants, or person, through whom they claim, into the State where it is alleged he owes service—and from which he is said to have fled. This, by the proof, appears to be the commonwealth of Virginia. It is, then, by the laws of Virginia, that this issue is to be determined—and the claimants must establish their allegations by satisfactory proof, competent in that law—or the warrant of arrest must be set aside, and the defendant discharged from custody.

Mr. Upton then proceeded to state the law of Virginia, which he averred to be common to all the slave-holding States, in substance as follows:—

First—That in suits for freedom the *onus probandi* depended upon the colour and characteristic features of the plaintiff, or person claimed as a slave.

Second—That where the plaintiff, or person claimed as a slave, was black, he was presumed to be a slave, and the *onus probandi* was upon him to prove his right to his freedom by his descent from a free mother—as the condition of the offspring, by the law of all slave-holding communities, follows the condition of the maternal ancestor.

Third—That where the plaintiff, or person claimed as a slave, is copper-coloured—with long straight hair—that he was presumed to be free—and the *onus probandi* is upon the defendant or person claiming him as a slave, to prove that he is such.

Fourth—That this presumption in favour of liberty, on behalf of the person of colour—not black, with straight hair, and not the wooly African, was based upon the idea of descent—and, in *favorem libertatis*, the law presumed that the white blood proceeded from a white mother, or Indian mother, or even a free mulatto.

Fifth—That this presumption of law, resting upon such a basis, could be rebutted in one manner only, viz.: by proof that the person of copper colour, with straight hair, descended from an African slave mother.

That no length of possession as a slave of the person claimed as a slave; that no documentary title, however long or interrupted the claim, by will, or deed, or record; no repute; no declarations or admissions of the person himself claimed as a slave at any time, are sufficient to overcome the presumption, but that it can only be done by proof of his descent from an African slave mother.

In support of these various propositions of law, Mr. Upton proceeded to cite very numerous authorities from the reports of all the slave States. From these he read at great length, and then applied the law to the facts before the Commissioner, and argued that the claimants here had not advanced one step in furnishing to the Court satisfactory or any proofs competent in the law of the South, to establish their right to the defendant as their slave; that it was incumbent upon the Court (as had been repeatedly done at the South in suits there for freedom) to judge and determine by a view of the person of the alleged slave, as to the *onis probandi*; that the defendant was evidently of Indian descent, copper coloured with long, straight black hair, and no attempt whatever had been made to prove his descent; that the only evidence adduced to substantiate the allegations of the claimants was their possession of the defendant—the possession of him for a series of years of one T. Dickenson, through whom they claim him—and the receipt of this T. Dickenson for the sum of one thousand dollars, as the consideration for him (as the sole paper title,) and that this T. Dickenson brought him from Petersburg, in Virginia, to Columbia, South Carolina, when he was nine or ten years of age. Upon such evidence, Mr. Upton argued, in a suit for the freedom of this defendant, before a Virginia or Southern tribunal, upon every authority, the plaintiff would unhesitatingly, be adjudged to be free.

When Mr. Upton had concluded his argument, Mr. Wood said he did not understand the mode of argument gone into by the counsel for the defence. It was lengthy, and much of it quite foreign to the case under consideration. He wished to hear all the evidence, before going into such lengthy arguments, that was wasting the time of the court.

Mr. Commissioner Nelson thought it was better to hear all the evidence before going into the arguments. It would expedite the investigation, and was the most proper mode of proceeding.

Mr. Culver made a motion to adjourn the case until 10 o'clock this morning, in order that the defendant might have time to procure evidence to prove that he was of Indian extraction, which, he (Mr. C.) stated, could be easily done. It could be proved that Bolding's maternal parent was a free woman; and, consequently that the prisoner was not a bondman, according to the laws of the South.

Mr. Wood said the other side wanted to show that the prisoner had no African blood in his veins; but that was more than they could do. If they can show that he is an Indian, let them bring forward their evidence at once, and not waste the time in making long speeches. He was not willing that the case should be postponed. Four days had elapsed since the case first came up, and they had sufficient time to procure evidence, if they were able to produce any, to substantiate what they say with regard to Bolding being of Indian descent.

Mr. Commissioner Nelson was for proceeding with the case. However, if the counsel for the defence could produce witnesses to prove the position they had assumed, he was willing to give them an opportunity to do so; but if it was a mere matter of speculation, for the purpose of hunting up witnesses, he could not postpone the investigation. There had been time enough to have all the evidences they deemed necessary in readiness.

Mr. Culver said, that had he and his colleague known the course the counsel for plaintiff intended to pursue, they would have been prepared. The plaintiff was endeavouring to prove that the defendant did not possess free blood, and that he was a real descendant of the African race, by both parents He (Mr. C.) hoped the Court would grant a respite, to give the defence time to prove the contrary.

Mr. Wood said there had been too much quibbling in the case. There had been ample time to be prepared with sufficient counsel and witnesses. He stated that the defence had been backed up by a few abolitionists, and that they had been using means to protract the examination of the affair to an unwarrantable extent.—He called upon the defence to make affidavit to the effect that they had not their witnesses ready; and that the delay called for was really necessary. Mr. Culver denied that there had been quibbling in the matter.—In calling for a respite, he was only doing his duty, and he was acting for a man who was in reality a man.

Mr. Upton then went to prepare an affidavit; and Mr Wood said, that as the defence were endeavouring to prove the fugitive to be an Indian, he would proceed to take the opinions of some of those present, who were acquainted with the African and Indian races, whether they thought the defendant was of Indian extraction.

Mr. J. Fenton was then called to the stand a second time.

Mr. Wood—Mr. Fenton, do you think there is negro blood in that man's face (pointing to the prisoner)?

Witness—I do; I do not think his thick lips, his nose, or his hair resemble those of an Indian.

Mr. Culver asked witness what business he followed. He replied—"I am a shoemaker."

Mr. Culver—Then this is the first time in my life that I have heard of a shoemaker being a judge of physiological distinctions in the human race. The witness had been making shoes during his lifetime, and not observing or studying the various distinctions in the different races of men and women.

Mr. Commissioner Nelson—I do not think it appertains to any particular calling to be a judge in such matters. The witness may be fully competent, from practical observation, to judge.

Mr. Wood, to witness—I think you stated that you have been about thirty-one years residing among negroes. Have you had negroes in your employ?

Witness—I have resided among them thirty one years; have had people of all sorts of colour in my employ; I think John Bolding is strongly marked with the distinctive features of the African race; do not think there is much of the Indian in him; never knew the offspring of an Indian and a white person to be so dark as he is; I have often known the offspring of a white person and a mulatto to have straight, long hair; there are many mulattoes in South Carolina who have straight hair—fully as straight as Bolding's.

Cross-examined by Mr. Upon—Can you tell me what is a mulatto?

Witness—The offspring of a white person and a negro.

The witness was then asked by Mr. Upton the peculiar physiological distinctions between a quadroon, griffon, &c.; but he replied that he was not sufficiently acquainted with those nice differences to answer the questions.

Mr. Upton—Then how can you tell that there is not as much Indian or other blood in the prisoner's veins as there is of the negro?

Witness—I know that he has a flat nose, which is not peculiar to the Indian; his hair is not so knotty as I have seen it in Columbia; I have seen his hair quite curly; do not think he is the offspring of a white person and a mulatto; I have known persons, darker in colour than he is, to have straight long hair; do not know which is the last feature that remains to distinguish the negro after the admixture of other races; the curly hair is very common with those who are the offspring of the white and mulatto; do not know that the admixture of the Indian blood with the African produces straight hair; I think it is probable there is some white blood in him.

John S. Scott sworn—I reside in South Carolina; I knew John Bolding; also Barnett & Anderson; I have lived in South Carolina since 1834; I am acquainted with the African race; I am of opinion there is much of the negro blood in John; I know it from his colour, and the other distinctive marks of his features; I have known a boy, born of a black woman, to be whiter in colour, and to have straighter hair.

Cross-examined—I think he has some white or Indian blood in his veins; I think his hair possesses more of the Indian curl than that of the negro.

——Antwerp sworn—I judge from my observation and long experience among the negro race, that Bolding is about two thirds negro; his hair is straiter now than I have seen it in Columbia.

Cross-examined—My observation teaches me that he is two-thirds black; there may be some white blood in him.

Henry Stern sworn—I live in Columbia, S. C.; have lived there for thirteen years; I am well acquainted with the African race; as far as I can judge by observation, Bolding has black blood in him; according to my judgment, he may be part Indian.

Cross-examined—I should say he possesses African blood; have no doubt he may be part Indian; I think his eyes resemble these of an Indian; his cheek bones do not resemble those of an Indian; Indians have long, smooth, and soft hair; I was born in St. Lawrence county, New York.

(A number of other persons were sworn, and gave their opinions mostly the same as the preceding Some stated that the fugitive might possibly have some Indian or white blood in his veins; but, without exception, they all gave it as their opinion that the marks of the African race were strongly delineated in his hair and every lineament of his features. The examination continued till 4 P.M; it was adjourned till 10 A.M. to-day, when the evidence for the defence will be put upon the stand).

FOURTH DAY.

Mr. Culver addressed the Court for some time in relation to the case, and the propriety of the Commissioner affording every opportunity for the administration of testimony, consonant with the Southern law, on behalf of Bolding. On the other side, men not professing skill as to physiology, have been called to prove whether he is of African blood, &c. Gentlemen skilled in physiology will be called on his part, and if it is found that he has white blood in him, it will be necessary, on the part of the claimant, to show that his mother was a slave before he can hold him.

Dr. Alfred C. Post, sworn—Is a physician; have made a physiological examination of John since sitting here; my impression would be that he is a half-blood Indian; his general physiognomy tends to that, especially the prominence of the cheek bones, the smooth, jet black hair; the eye pertains more to the Indian than the African blood; the complexion indicates an admixture of white blood; if I had seen him without knowing that he came from South Carolina, I should not suspect he was of African blood; I had not seen him before I came into the Court room this morning.

Mr. Wood said he had nothing to ask.

Levi S. Waldo sworn—Reside at Poughkeepsie; am a clergyman; know Bolding; I have known him for most of the time he has been in the place, some three or four years; he married there; I married him; I supposed there must be African blood in him; frequently afterward, in looking at him, supposed he must be of Indian descent

Dr. James McCune Smith, a slightly coloured man—Has made physiology a study; considers from the history of races, it is evident that John is of white and Indian blood without any admixture of African blood; states the reason of his conclusion; a fair mulatto has crooked hair, John's conformation, so far as the skeleton (or bones) is concerned, is purely Indian. Witness refers to the work of Dr. Pritchard, p. 271; showed comparison by a respectable appearing mulatto man (part white and part African), his wife a pure Indian woman, who was present, and their child, a little boy, who was also present. Argued, from the work of Dr Morton and others, and concluded by saying there is no portion of negro blood in him; the curl in his hair is not from African admixture, but different, and the curl at the end now is evidently artificial.

By Mr. Wood—My mother is a mulatto, half white and half African—my father white; I am three-fourths white; should suppose the man asked to stand up in the gallery is nearly a pure Indian. (Mr. Wood asked the man to step down.) The man said his mother is Indian and his father mulatto.

Mr. Fowler sworn—Reside in the city; principal business lecturer on phrenology and physiology; had I examined him blindfolded, should not suppose, by passing my hand over his head, that there was any African blood in him; hold in my hand the skull of an Indian (describes it); hold also the skull of an African (describes it); consider if there is any African blood in him, it is not over two-twentieths; not more than $200 worth, if his value is $2,000; if there is any African blood it is weakly represented; in the absence of evidence to the contrary, should suppose no African blood in him any more than Mr. Copway, the Indian chief; been practicing phrenology and physiology for nearly 20 years.

By Mr. Wood—I do not know anything to the contrary but that I am of Circassian blood. Mr. Wood asked the Commissioner to inspect and compare Mr. Fowler with John, and with the first witness, as to points spoken. Mr. Wood also called down, after asking witness to look at him, and saying he was purely African, a black man in the gallery. Asked the Commissioner to compare him with John Another man was also called, an uncommon black man Mr. Wood said he wished to show there was a good deal of uncertainty about all this matter.

Dr. Smith recalled—The strata in which people live for a long time will change their skeletons.

"So that we are getting like Indians," said Mr. Wood.

Witness—So that we are getting like Indians.

Mr. Wood, in a doubtful tone—That is a new fact.

Rev. J. B. Grinnell sworn—Reside in Washington; have had general observation of the races; did not see John till this morning; passed several days in Milwaukee with Indians; also saw other Indians, and studied others, &c.; would suppose John to be Indian; saw Mr. Foote, coachman at Washington, who is said to be half-brother of the Senator; were John by the side of the member elect from Madison—an Indian—I would suppose him to be his brother; if any person fully asserted there was African blood in him I would not credit it.

Mr. Wood called attention of witness to a very black man in the gallery, apparently of pure African blood Witness supposed there might be Indian in him from his high cheek bone.

The witness was called down. Mr. Wood said he wished to shew how uncertain were the examinations, and called the attention of the Commissioner to the high check bone. The witness afterward said he would readily believe there is no Indian blood in him.

Mr. Upton then recalled the black man whom he had previously called in contrast.

Mr. Wells sworn—From examination should pronounce him an Indian. There may be an admixture, but the Indian predominated.

Lewis Burleigh—Seen a good deal of the Indians. Would suppose John to be an Indian.

Several questions were asked of the witnesses and answered as to appearance, &c., when the defence rested.

John H. Boatwright, called by Mr. Wood and sworn—Belong to Columbia, S. C. Know John. Attended, in Columbia, his wife [it was said he had a wife in Columbia], or her mother. Believe his wife there is still living. He does not differ in appearance from many others there. Think he is part Indian and part African. He appears to have more of the African in his face than otherwise.

Cross-examined—Do not know anything as to the law of the South in regard to marriages of slaves; know white ministers marry them; believe they generally do not marry them unless they have a permit from their masters; John lived with this woman, and it was understood she was his wife; I have attended at the house; John was there; I have known him ever since he and I were boys; have no doubt there is some white blood in John, also African blood; do not profess to know the distinctions of races as to appearance.

Mr. Wood then read an affidavit of Jas. G. Barnett, that he authorizes Mr. Anderson in making the claim, and what Mr. Anderson said was true.

Mr. Upton objected to it as not having been made previous to examination. The Commissioner said under the law it was not necessary for affidavit or warrant at all.

Mr. Upton demurred to the idea, but Mr. Wood, and agreed to by the Court, thought the matter ought to be reserved to the argument.

Mr. Wood said they would here rest.

Dr. Boatwright, recalled by Mr. Culver.—Do not know of John having been married; only know she lived in the same house with her mother, as John did; they had no children; there was a white man also lived in the house.

The witness was asked if it was not common for slaves to live together for a time, and then form new connections. The witness answered, that frequently they were very constant to each other, particularly the house servants. It is against the rules of any church to which they belong to separate. No minister will marry them again after that.

The testimony rested on both sides. Mr. Wood then conceded that sufficient has been shown to prove the claim of Messrs. Barnett and Anderson, under the Fugitive Slave law, to the possession of Bolding, which was denied by Mr. Upton, and argument proceeded in.

Mr. Upton contended that sufficient had been shown to require proof as to whether or not the mother of Bolding was a slave. He quoted, among other cases, Hitchins *agt.* Nash, in Wheeler's Treatise of the law of Slavery. Also, a case from Martin's Louisiana Reports, &c. He addressed the Court for some time, and contended that a case had not been made out, by which Bolding could be sent into bondage.

Mr. Wood, in reply, contended that the proof was sufficient. Bolding has been shown to have been held, for twenty years, as the slave of the gentleman who sold him to the claimant—it was also shown that he brought him from Virginia, a slave State. The law of Congress (the Fugitive Slave Law), of 1850, only requires that the party claimed shall have been held to service and escaped into another State, &c. If Bolding is entitled to his freedom he can claim it in South Carolina, when he goes back, the laws of the South giving opportunity to that effect. If it had been shown without doubt, that there is no African blood in Bolding, but that he is white or Indian, then the proof as to his mother being a slave, would be necessary, but the weight of testimony is different in the present case. Mr. W. alluded, in somewhat severe terms, as to Abolitionists, and rather ridiculed the ideas as to phrenology and physiology, &c. He contended that the Commissioner is bound to deliver Bolding to the claimant.

Mr. Culver, in a few words in explanation, said, that the Fugitive Slave Law, which he said, is a mass of absurdities, changed the language of the Constitution, making it to read "a person *held* to labour," while the Constitution says "a person *owing* labour" under the laws of the State from which he comes, &c.

[Mr. C., in opening, in the early part of the proceedings, said it was doubtful, after a claimant gets a certificate here as to ownership, whether the laws at the South will not consider that final; and even if they do not, what chance is there at the South for a coloured man to assert his freedom?—what means has he? and who would dare to go there and assist him, let him be ever so much entitled to it, in obtaining his freedom? In regard to the term in the Constitution "owing service," we have the authority of Mr. Madison himself that it was not intended to refer to slaves, the term Slavery being first put in and struck out. Mr. C. made other remarks].

Mr. Wood said a few words in reply to Mr. Culver's closing remarks, and the case was concluded.

Decision on Monday.

FIFTH DAY.

This morning the case of the alleged fugitive from South Caroline, John M. Bolding, was brought to a close, by the decision of the Commissioner in favour of the plaintiffs or claimants, and the transportation of the alleged fugitive to the South in charge of United States officers.

The Court-room was crowded with an interested and quiet audience, and nothing whatever occurred to create a supposition that any violent measures would be taken by those who were opposed to the taking away of the man.

When the Court had been duly opened, the Commissioner proceeded to read the following opinion, which was heard in respectful silence:

In the matter of the reclamation of John Bolding, &c. The proceedings in this case were instituted under the act of 1850, entitled "an act to amend and supplementary to the act entitled 'an act respecting fugitives from justice; and persons escaping from the services of their masters, approved February 12, 1793.'" They are founded upon the affidavit of Robert O. Anderson, who deposes that he resides in the City of Columbia, in the State of South Carolina; that in the month of July 1847, one John Bolding, a mulatto or colored man, a person held to service or labour in the State of South Carolina, under the laws thereof, escaped therefrom into the State of New York; that the said labour or service of the said John Bolding was and is due to the said Robert C. Anderson, and one James G. Barnett, a resident of Newark, in the State of New Jersey; and the said Robert C. Anderson and the said James G. Barnett have never parted with, and are still entitled to the services or labour of the said John Bolding.

Upon this affidavit a warrant was issued, pursuant to the provision of the aforesaid act of Congress, and the said John Bolding was duly arrested and brought before the officer issuing the warrant, in order that the truth of the facts set forth in the affidavit might be legally investigated. During the progress of the investigation, the affidavit of James G. Barnett, who did not join in the original affidavit, was read, testifying to his concurrence in the proceedings, and the ratification of the acts of Mr. Anderson

A preliminary objection is made by the counsel for the defendant on the ground that James G. Barnett, the alleged joint owner, did not join in the original affidavit, and that therefore, for aught that appears, he may be willing that the said John should go free. To this it may be replied that the possession of one joint owner is the possession of both, and that the claim of one must in legal contemplation be the claim of both; as the possession acquired upon the claim of one, would, in law, enure equally to the benefit of both; and it may be further replied, that one joint owner cannot extinguish or impair the right of the other; that where one joint owner has got possession of the subject of the joint tenancy, the other cannot divest him of it, for one has as good a right to the possession as the other, and the law leaves the possession where it finds it; the remedy of the party out of possession is to call upon his cotenant for an account of the proceeds and profits. Mr. Anderson, therefore, having by the institution of these proceedings, and the recapture of the defendant, repossessed himself of his property, if his allegations be true, no joint owner can deprive him of that possession; and if Mr. Barnett, in addition to not joining in the original affidavit, had altogether protested against the proceedings, I do not see how it could have impaired the legal rights of Mr. Anderson.

But it seems to me that all difficulty is dissipated by the subsequent concurrence of Mr. Barnett. It was not necessary for Mr. Barnett to have joined in the original affidavit, nor was it necessary for Mr. Anderson to have made any affidavit at all. He might have brought the defendant before the Commissioner without any warrant whatever; and I presume the investigation is to be conducted in precisely the same manner, whether the alleged fugitive is brought up by virtue of a warrant, or upon the responsibility of the claimant; and if, in this case, he had been brought up in the latter manner, it could not be contended that the evidence of the concurrence of Mr. Barnett was improper and inadmissible.

Having thus disposed of the preliminary objection, I come to the main question of the case—is John Bolding the property of the claimants Barnett and Anderson, or is he a fugitive from service which he owes to them?

Before proceeding to investigate the evidence in the case, I shall endeavour to lay down the principles of law which I conceive applicable to it.

A state of negro Slavery is an exception to the general condition of the inhabitants of this country, and was originally limited to those of the negro race, whose African blood was unadulterated by any other admixture; but in process of time the blood of the free became mingled with the blood of the slave. And then, the well-established rule of law, that the state of the offspring follows the condition of the mother, was brought into immediate application, so that in the case of the commingling of the blood of the free and the blood of the slave, it was important to ascertain whether the free blood came from the maternal or paternal line, as it might have come from one as well as the other; and the law, therefore, in favour of liberty, raised the presumption that the free blood came from the maternal side, and that the person in whose veins it flowed was consequently free. I, therefore, conceive it to be well established, as contended by the counsel for the defendant, and I do not understand it was controverted, that where there was free blood the presumption is in favour of liberty, and the *onus probandi* rests upon the party asserting the contrary.

It was also contended by the able counsel for the defendant, that in order to rebut the presumption of liberty, it was incumbent upon the party assuming to do so, to prove a lineal descendant from a slave mother; that, too, is a proposition which it seems to me cannot be successfully controverted; a man cannot be a negro slave unless he be born of a slave mother; and where a man is presumed to be free, that presumption cannot be rebutted except by evidence satisfactory to the mind that he is descended from a race of slaves.

It was further contended by the learned counsel for the defendant, that no length of time during which a person may have submitted to, and been kept in bondage, is of itself evidence that he is rightfully held in such a state (Hudson's vs. Wright, 1 Henning & Munford 134:) and it seems to me that the authority relied upon by the learned counsel fully sustains the proposition; and it is so conformable to the results of natural reason, and so consonant with natural justice, that the citation of authorities hardly adds strength to the position, for to hold that a man with no evidence but the naked fact that he has been outraged and oppressed for a series of years, is a negro slave, is too repugnant to the moral sense, to be entertained for a single moment. There is no statute of limitations to bar the claim to liberty.

A man holds his freedom by the same tenure that he does his life; and it clings to him with even stronger tenacity; for his life he may take into his own hands, but his liberty he cannot alienate; no length of time, no perpetuity of outrage, can extinguish it. It can't be crushed or trampled out of him. Therefore, in the case cited by the learned counsel, where the party claiming her freedom had been held in bondage for a long series of years, and in whose person there was no trace of negro origin, and in whose veins no witness had ventured to say that he could see the blood of a race of slaves, it was justly held that the naked fact of continued possession, which was nothing more than continued outrage, was altogether insufficient and inadequate proof.

And it further seems to me to be a proposition established by the case referred to, that no length of possession is sufficient to establish the existence of negro blood. I cannot see how the naked fact of long possession is any greater evidence that a man is a negro than it is that he is an Englishman or Frenchman.

The other case [Adelle vs Beaugard, Martin, 1831], cited by defendants counsel, simply proves that persons of colour, are presumed to be free, and in order to establish a claim to them it must appear that they have been held as slaves; a proposition which is not controverted.

Having thus laid down the principles of law which I conceive applicable to the case, I shall proceed to a consideration of the evidence on the part of the claimants before they can entitle themselves to the certificate which they seek.

I consider it incumbent upon the claimants to establish the three following propositions:

I. That John Bolding has African blood in his veins, and is therefore capable of being a slave.

II That he was born of a slave mother, and, therefore, is a slave.

III. That he is the slave or property of the claimants, and escaped from their service.

The evidence of John's negro origin on the part of the claimants consists of the testimony of eight or ten witnesses, who have passed years, or perhaps a lifetime, in the midst of slaves, who profess to be familiar with the peculiar characteristics of the negro, and with all the various admixtures of his blood, all of whom testify, without hesitation, that they see in the defendant the distinct traces of African blood, though all consider that he is not a full negro; and ten of them testify, that when they knew him in Columbia, when he took less care of his hair than he does now, that it curled much more after the negro fashion than at the present time; that from the time he was eleven or twelve years of age, which is as far back as he has been to the trade, down to the time of his escape, a period of about twenty years, he has been considered and reported of African decent, recognised as such, lived and brought up with negroes, and finally lived with a mulatto girl as his wife; and no pretence by himself or others, that he was free from the African taint, has been heard of down to and until the time of his arrest. To rebut this evidence several witnesses are called on the part of the defendant. Doctor Post testifies that he believes him to be a half-blood Indian, but does not undertake to give it as his opinion that he has no African blood. Mr. Waldo, the clergyman from Poughkeepsie, then testifies that, knowing where he came from, he thought that he had African blood, but afterwards, upon meeting him, the thought occurred to him, that he must have Indian blood in him Dr. Smith expresses it as his opinion, founded upon scientific principles, that he is an Indian and white, without any admixture of the African. Mr. Fowler, a distinguished phrenologist, infers from his physiognomy and developments upon his cranium, that he has strong marks of the Indian, and that he has not more than two-twentieths of the African, if any at all. Mr. Grinnell, a clergyman, who professes to judge from physiognomy, pronounces him a full-blooded Indian, as also does Mr. Bailey Mr. Wells, another phrenologist of distinction, concurs in the testimony of Mr. Fowler.

We have then three witnesses, who give it as their opinion,—that the defendant has no African blood in his veins,—Dr. Smith, whose opinion is based upon scientific principles, and Mr. Grinnell and Mr. Bailey, whose opinions are based upon observations of the Indian race; but, so far as appears, have no particular experience in the admixture of races, either Indian or Negro.

That there is a marked distinction in the physical conformation of the various races of men, is well established by science, attested by every one's observation. But where the races are mixed and blended together the marked characteristics of each become so shaded away, or so many exceptions to the general rule are discoverable, that the opinions of men of science become too shadowy and uncertain to be the foundation of Judicial action. And when two men of mixed races are contrasted together, it seems too much for a man to say that one has none of the blood of the other, because his head is a trifle bigger or larger or broader; or because the hump of philoprogenitiveness is smaller and that of destructiveness larger. It would puzzle the most eminent phrenologist to tell, with precise accuracy, how much philoprogenitiveness is necessary to constitute a negro, or how large must be the bump of destructiveness duly to qualify and set out an Indian.

It seems to me, therefore, that the testimony of men of judgment, who have spent their lives in daily contact with the various shades and mixtures of negroes, and who say that the defendant has African blood, because he resembles many whom they know to be of the African race, is to be preferred to any fanciful opinions founded upon differences in hight or breadth, or length or depth, hardly perceptible to ordinary eyes, especially when the opinion of the former is corroborated by the reputation and action of more than twenty years; and if the matter is to be decided by personal inspection I cannot resist the conviction that the taint of the African contaminates the blood of the defendant.

I hold, therefore, that the first proposition on the part of the claimant is established, and that the defendant has African blood in his veins, and is consequently susceptible of being a slave. The next question—was he born of a slave mother, and therefore is, in fact, a slave? The evidence of this is that he has been held as a slave, and dealt with as a slave, and transferred as a slave for a period of more than 20 years from the time he was 11 or 12 years, together with the fact that he has African blood in his veins, and is, therefore, capable of being a slave.

If it had not been first proved that he had African blood in his veins, no matter how long he had been held in bondage, or upon how many records he may have been written down slave, or by how many bills of sale he may have been transferred, it would not have advanced the claimants a single step towards establishing his servitude; it further appears that he came from Virginia, where a vast proportion of his race were slaves, and if he had been kidnapped, or forcibly or fraudulently conveyed from that State, knowing himself to be free, as he must have known, if such had been the fact, is it to be supposed that he would not at some time during the period of twenty years have made his wrongs known, at least in murmurs and complaints. But the fact being established that he is of a race capable of being slaves, I must hold, in accordance with well established rules of law, that evidence of undisputed claim and possession for more than twenty years is proof of lawful title, or, in other words, that he was born of a race of slaves, and is the lineal heir, in the maternal life, of the unhappy fate of his ancestors.

The two first propositions on the part of the claimants being established, the third is not the subject of controversy; for it is conceded on all hands, that if he is the slave or property of any body, he belongs to the claimants, and escaped from their service.

It appearing to my mind, therefore, that "satisfactory proof has been made" that the said John Bolding "does in fact owe service or labour" to the claimants in this case, in the State of South Carolina, whence he escaped, I feel bound to grant to the claimants the certificate provided by the act, thereby authorizing them to "take and remove" him back to the State of South Carolina.

But let no man suppose that this judgment is a final decree of the defendant into a state of Slavery; for to say that the certificate granted consigns him to bondage of any kind or duration whatever, is a misrepresentation or misconstruction of the law. Whether the defendant is a freeman or a slave, is to be adjudicated by abler, and wiser, and older heads then mine; and the language of the act is carefully worded to preclude such idea, for it expressly declares that the certificate shall be "conclusive," not that the defendant is a slave, but to use its very language, "shall be conclusive of the right of the person in whose favour granted, to remove such fugitive to the State or Territory from which he escaped.

When, therefore, the claimants, by virtue of the certificate granted, shall have "removed" this defendant to the State of South Carolina, it will have performed its functions. The moment the defendant is "removed" to the State of South Carolina, the certificate becomes an empty scroll in the hands of the claimants, imparting no authority to hold the defendant in their custody or possession, and if they continue to hold him, they do it upon their personal responsibility; when the defendant "is removed" to the State of South Carolina, if he should desire to return to the State of New York, and is in fact a free man, he may do so, and this certificate can interpose no barrier to his progress; or if he thinks proper he may challenge the right of the claimants, summon them into a court of justice, and call upon them to prove that he is a slave, and no court in South Carolina will impose upon him the *onus* of proving that he is free; and the cases cited by the counsel for the defendant show conclusively that justice and humanity are not the exclusive property of the States of the North; and if those virtues cannot exist where Slavery prevails, it follows that they are of but recent origin in this State of New York.

Mr. Culver, one of the counsel for B., remarked that he had just received a telegraphic despatch from Buffalo stating that Judge Conklin, of the U. S. Court there, had reversed the decision of the Commissioner in the case there pending—and he had asked Mr. Nelson, as a favour, to withhold the granting of the certificate for a few hours, so that they might be enabled to bring the question before one of the United States Judges.

Mr. Nelson said he would be exceedingly happy to do so, but he did not consider that he had any power—and that when application was made for the certificate he should feel bound to give it—if consent were obtained from the claimant or his counsel not to claim, at present, the certificate, he should be very happy that it would come before older and wiser heads than himself

Mr. Culver thought that the Commissioner had mistaken the case cited at New Orleans, which was in relation to a mulatto person. Mr. Wood, the counsel for claimant, he said, was not present.

Mr. Goodman rose and said that Mr. Wood had gone out of town, but had requested him to attend and say he is desirous he should have the certificate forthwith.

Mr. C. then said they would appeal to the magnanimity of the gentlemen (claimants) themselves, to give twenty-four hours to bring the case up, &c.

There was no answer, and the proceedings closed. Bolding and his friends appeared to be grieved at the result.

We understand that a certificate was almost immediately afterward asked for and granted. That portion of the understanding with the claimant by which he agreed to waive the proposition not to require, on being paid $1,720, that Bolding should first go back to South Carolina, has been withdrawn, and he now requires that he first shall go back. The requisite money, it is said, has been raised, and his friends will probably go there and redeem him.

Mr. Anderson, the claimant, subsequently made an affidavit, agreeably to the law, that he had reason to apprehend an attempt at rescue, and claimed the assistance of the U S. Marshal, under the law, to convey Bolding to South Carolina.

Bolding remained, after the decision, in one of the rooms of the Court House building, his wife and her mother and friends being with him Toward the time of the starting of the New-Jersey and Southern Railroad line, in the afternoon, Bolding was directed to bid adieu to his friends, and the parting showed that, even if a slave, the heart of a human being beat in his bosom, and deep sorrow was also exhibited by those from whom he parted. He was placed in a carriage and accompanied by Major Talmadge, the Deputy Marshal, Assistant Deputy Marshal Walsh, Mr. Culver, Mr. Anderson, claimant, and one of his brothers-in-law, conveyed to the New-Jersey Railroad, where he was left in custody of Deputy Marshal Talmadge and officers De Angelis and Rakielewitz, and proceeded with South. No attempt has ever been made or threatened, we believe, here, to rescue him, and not the slightest difficulty has occurred, except a trifling one yesterday after the decision, in which a colored man, standing on the steps outside the Court House building, addressed some words (we understand not insulting) to a man who lives at the South. He told the coloured man peremptorily to go away, saying he would have nothing to say to a negro, and when the man made some slight reply, assaulted him, but the difficulty soon was over.

The Marshal, Deputy Marshal, District Attorney, and other officers of the Court, we are assured, extended every kindness toward Bolding, and did everything proper to relieve his unhappy situation.

DANIEL DELIVERED FROM THE LION'S DEN!

Daniel Davis, the alleged fugitive slave, arrested and delivered up to his master at Buffalo, has been, we are happy to announce, pronounced free. He is ere this in Canada, his friends having a carriage ready and hurrying him into it the moment the decision was made in his favour. We give below the opinion of Judge Conkling in full:

U. S. District Court.....Before Judge Conkling, at Auburn.

Ex parte, John Davis petitioner, for a writ of Habeas Corpus—On the 17th inst., an application was made to Judge Conkling, in behalf of the petitioner, for a writ of *Habeas Corpus ad subjiciendum*, to be directed to Mr. George B. Gates, one of the Deputy Marshals of this district, in whose custody the petitioner was alleged to be, at the city of Buffalo. The petition alleged that the petitioner was restrained of his liberty in the custody of the above-mentioned officer, under pretence that he was a fugitive from labour, and in virtue of a warrant, a copy of which was annexed to the petition; wherefore he prayed a writ of habeas corpus to discharge him from custody, on the ground that, as he was advised by his counsel and believed, his imprisonment was illegal, that he was a free man, and that the Commissioner by whom the warrant was issued, had no jurisdiction to issue the same. Annexed to the petition was the copy of a warrant issued by H. K. Smith, Esq. a Commissioner of the Circuit Court of the U. States, purporting to have been granted on the application of Benjamin S. Rust, the duly authorized agent and attorney of George J. Moore, of Louisville, in the State of Kentucky, alleging that the petitioner owed labour and service to the said Moore, and that he was a fugitive therefrom. By an indorsement on the warrant, it appeared that the same had been executed and returned, and that the Deputy Marshal had the petitioner in custody in virtue thereof.

The petition contained no allegation of irregularity in the proceedings before the Commissioner, nor was it alleged in the petition, or by the counsel for the petitioner, that there was any insufficiency in the warrant apparent upon its face.

This application was denied by the Judge, on the ground of want of probable cause, it being, as he stated, a settled rule both in England and, in the absence of any statute injunction to the contrary, in this country also, that the writ of habeas corpus was not grantable of mere course, nor without probable cause shown. It was an extraordinary remedy for unlawful restraint of personal liberty, and no Court or Judge had authority to allow it, except in cases apparently of this nature. It was not enough for the petitioner to allege in general terms that his confinement was illegal; he was required to show that it probably was so in fact. In the case before him, conceding the validity of the statute under which the Commissioner had acted, not only had the petitioner failed to fulfil this requirement, but, on the contrary, it expressly appeared that the Commissioner, in causing his arrest and detention, had only discharged an imperative duty enjoined upon him by law; and with regard to the Act, the Judge said he did not consider himself at liberty to treat its constitutionality as any longer an open question. Nearly a year had elapsed since it received the sanction of the two Houses of Congress, and, in accordance with the official opinion of the Attorney-General of the U. States, the approval of the President. No act of the National Government had ever more strongly arrested the attention of the American people, or been more closely scrutinized It had been repeatedly brought under discussion and consideration before the Judges and judicial tribunals of the country, both State and National, and in every instance its constitutionality had been unequivocally asserted and maintained.—Among those by whom this opinion had either directly or indirectly been declared, are, at least, three of the Judges of the Supreme Court of the U. States, all of whom, moreover, are citizens of States in which Slavery does not exist. Under these circumstances, Judge Conkling said, it was, in his judgment, wholly unnecessary, and would be scarcely decorous, for him to enter upon the examination of the question all. At an earlier period it would have been his duty to do so, and to be governed by his own independent conclusions; and this duty he should not, for a moment, have hesitated to perform.

The motion for a habeas corpus having for these reasons been denied, a second petition was presented, on the 19th instant, on which the motion was renewed. The petitioner states that he is still restrained of his liberty, in the custody of Mr. Gates, the Deputy Marshal; that after his arrest, in virtue of the warrant mentioned in his first petition, having been brought before the said Commissioner, he, the said Commissioner, made out a certificate, directing the petitioner to be taken to the State of Kentucky, whence, as it was alleged, he had escaped, and where he still owed service. The petitioner further alleges that he is advised by counsel, and verily believes, the procedings before the Commissioner are null and void, for want of jurisdiction in the said Commissioner to make the said certificate, because there was no evidence before him that he, the petitioner, was a slave, but that, on the contrary, the proof, as the petitioner was further advertised, established his freedom; that the said proceedings were founded upon an alleged record of the County Court of Jefferson County, in the State of Kentucky, which record is not exemplified under the seal of the said Court, in pursuance of the act of Congress in such case made and provided; wherefore, as the petitioner is further advised, the said pretended record is void, and the Commissioner acquired no jurisdiction under the same; that there was no other proof before the Commissioner, aside from such pretended record, that the petitioner owed service to the claimant, Moore, but, on the contrary, there was proof that the claimant brought and permitted the petitioner to come to Cincinnati, in the State of Ohio, whereby, as he is further advised and believes, he acquired his freedom. And the petitioner further states that, to the best of his knowledge and belief, there was not before the Commissioner any evidence, except the same pretended record of the fact of his escape from Kentucky; and, lastly, that to the best of his knowledge and belief, he is not detained for any other cause.

The petition, for reasons stated in the affidavit, is verified by the oath of Mr. Love, acting as the counsel of the petitioner.

On this petition Judge Conkling granted an order *nisi* returnable on the 26th day of August inst. On that and the following day, the case was ably argued by Mr. Talcott for the petitioner, and Mr. Foster for the claimant.

In opposition to the rule, the counsel for the claimant read an affidavit made by Mr. Gates, the deputy Marshal, setting forth the proceedings before the Commissioner, and incorporating the certificate granted by him. Appended to the certificate as forming a part thereof, was the petition of the claimant's agent and attorney, and the power of attorney under which he acted; the warrant of arrest; the transcript of a record of the County Court of Jefferson County, in the State of Kentucky, authenticated by the attestation of the Clerk, and an impression of the seal of the Court thereon, stating it had been proved to the satisfaction of that Court by the affidavits of two persons therein named, that the petitioner owed service to the claimant, and that he had, on or about the 25th day of August, 1850, escaped therefrom into the State of Ohio, which record was referred to, in the certificate, as the evidence by which the facts therein stated were established before the Commissioner; and the affidavit of the agent of his apprehension of a rescue. At the close of the argument, on Wednesday, the 27th of August, Judge Conkling said he did not believe he should be able to decide the case before the morning of the second day thereafter, but that he should endeavour to do it at that time, which he accordingly did, by delivering the following judgment:

Conkling J.—An order *nisi* having been granted by me several days ago, for a writ of *habeas corpus ad subjiciendum*, to bring before me the body of John Davis, for the purpose of inquiring into the legality of his confinement in the custody of one of the Deputy Marshals of this District, and the case having been fully argued by counsel and considered by me, I am now to declare my opinion of the law thereupon.

The case is one in its nature calculated, as we know by recent experience, to arouse the passions and prejudices of men in this part of the Union; and this tendency, in the present instance, has been unhappily inflamed by an extraordinary incident reported to have attended the original arrest of the petitioner. But the circumstances to which I have alluded, however deplorable, it is scarcely necessary to observe, can have no legitimate influence whatever upon the decision of the question before me, and are to be remembered, if at all, only for the purpose of inspiring a deeper sense of judicial duty, and greater caution in its discharge. If the prisoner is entitled by law to the privilege of the writ of habeas corpus, it must be awarded; if not, it must be withheld; and in neither event can the result afford any just ground for dissatisfaction, still less any apology for the indulgence of a spirit of insubordination to the laws of the land. It is proper at the onset to observe, that, as I hoped and expected, when the order *nisi* was made, the merits of the case are now as fully before me as they could be on the return of a writ of habeas corpus, should one be granted. The real question to be decided therefore is, whether the petitioner is entitled to his discharge; for it is an obvious as well as an established rule, that when, upon an application for a habeas corpus, it appears that it would be fruitless to the petitioner if allowed, it is not to be granted.

Before proceeding to an examination of the merits of this application, it may not be amiss to advert to the source of the power which I am called upon to exercise. The Government of the United States is one of expressly delegated powers, and its functionaries can exercise no authority except such as, either in terms or by reasonable intendment, has been conferred by the Constitution or by laws passed in accordance therewith. To guard against possible restrictions of the great privilege of habeas corpus, it was deemed expedient, by an express provision of the Constitution, to forbid its suspension unless when, in case of rebellion or invasion, the public safety might require it. With this exception it was left, as one of the elements or incidents of the judicial power, to be regulated by law; and in order to give it vitality it was necessary for Congress to confer the power to grant it, and to designate the functionaries by whom this power should be exercised. This was done by the 14th section of the Judicial Act of 1789, which, as it has been authoritatively interpreted, invests all the Courts of the United States, and the several Judges thereof, with the power to issue this writ "for the purpose of inquiring into the cause of commitment." The act does not prescribe the cases in which this form of remedy may be resorted to, nor does it define the power of the Court or Judge in cases where it lies. Recourse for these purposes must therefore be had to the Common Law, and especially to the celebrated Habeas Corpus act of 31 Charles II., designed to correct and effectually to guard against the scandalous evasions and abuses by which the practical efficacy of the writ of Habeas Corpus had become in a great degree destroyed during the arbitrary reign of the Stewarts· 3 Black. Comm 130–138; ex parte Bollman & Swartwout, 4 Cranch's R. 75 (2 Condens. R. 33); ex parte Watkins, 3 Peters' R. 193, 201, 202.

[His Honour examined at length the authorities cited at the argument, and especially the cases *Exparte* Kearney, 7 Wheat R. 38: and *Exparte* Watkins, 3 Peters's R. 193: 'the latter being mainly relied on by the counsel for the claimant,' and which establish the principle that when, by a Court of competent jurisdiction, a judgment in its nature final, has once been pronounced, it cannot be reviewed on *Habeas Corpus*; and he then proceeded as follows:]

It is upon this principle that the claimant relies, and the question is, whether or not it furnishes the rule of decision for the present case.

For the purpose of determining this question, it is proper to examine into the nature of the adjudication which it is proposed to bring under review. The adjudication was made by one of the Commissioners of the United States for the Judicial District. The office of Commissioner was created by an act of Congress passed in 1812, by which the several Circuit Courts were authorized to appoint suitable persons to take acknowledgments of bail and affidavits, in civil causes pending in such Courts; and by an act passed a few years later, the persons so appointed were authorized to perform the like services in the District Courts. By the latter act and other acts subsequently passed, other powers were excessively conferred upon these officers; and lastly, by the first section of the act of September 18, 1850, known as the Fugitive Slave Act, they are authorized and required to exercise and discharge all the powers and duties conferred by this act." The fourth section further declares that the Commissioners "shall have concurrent jurisdiction with the Judges of the Circuit and District Courts of the United States, in their respective circuits and districts." By the sixth section it is also enacted that the certificates to be granted under the act "shall be conclusive of the right of the person in whose favour granted, to remove such fugitive to the State or Territory from which he escaped, and shall prevent all molestation of such person or persons by any process issued by any Court, Judge, Magistrate, or any person whatsoever."

Now, whatever ground for doubt, if any, might have existed, independently of this enactment, concerning the legal force and effect of these certificates, it may, I think, be safely assumed that it was intended by Congress to place them, in this respect, substantially on the footing of judgments rendered by judicial tribunals, in cases within their jurisdiction. But, notwithstanding the wide scope of the doctrine laid down by the Supreme Court in the Watkins case, I am also of opinion, and indeed this was distinctly admitted by the learned and able counsel who appeared for the complaint, that this conclusive effect can be ascribed to a certificate only when it appears on its face that it was granted, or, at least, according to some reasonable interpretation of its language, might have been granted in conformity with the act and in pursuance of the authority thereby conferred. Unquestionably it should appear to have been granted by a person having power to grant it, and proceeding in a manner warranted by the act. It is only to *such* certificates that the principle of law relied on by the counsel for the claimant can be applied, and such only can Congress be presumed to have had in view. I regret that the circumstances of the case, and my own indispensable engagements, requiring my immediate departure to a remote part of the district, preclude me from fortifying and elucidating this proposition and reconciling it with the case *Ex parte* Watkins, by a reference to authorities. But I shall assume it as unquestionable. The counsel for the petitioner denies that the certificate now in question is of this character.

One of the objections to its sufficiency is, that the person by whom it was granted is therein described as "a Commissioner appointed by the Second Circuit Court and as "a Commissioner appointed by the Circuit Court for the Second Circuit," when in truth there is no such Court, and of course, no such Commissioner. The objection is true in point of fact, and if there was not another, of a more serious nature, this would, at least, require consideration. But it is further objected, that the case of the petitioner is not embraced by the act, or rather by that part of it under which the proceeding was entertained, and by which alone it could have been authorized. It is due to the highly respectable gentleman, by whom the certificate was granted, to observe, that this objection appears not to have been made before him, and probably was not thought of by him, or, until afterwards, by the counsel for the petitioner. The claimant saw fit to avail himself of the provisions of the 10th section of the act, by which the owner of a fugitive slave is permitted to make proof of the main facts of title and escape before a Court of Record, or some Judge thereof, in the State whence the escape was made, and having obtained a transcript of the record, which such Court is required to make, of the matters so proved, to exhibit the same to the Judge or Commissioner to whom application shall be made, in the State where the fugitive shall be found, as conclusive evidence of the facts therein stated. Such a record was produced before the Court in the present case, and is distinctly stated in the certificate to have formed the basis of his action in the premises. It was suggested at the argument, though apparently with no great confidence, that the Commissioner might by possibility have had other competent evidence before him; but I am clearly of opinion that no such supposition is admissible.

There is not, in the papers before me, the slightest intimation to this effect, but on the contrary, the transcript is exclusively referred to throughout as the evidence by which the title of the claimant and the fact of escape were established. But the escape is also throughout alleged to have occurred "on or about the 25th day of August, 1850," whereas the act was not passed until the 18th of September following; and it is upon these dates that the objection is founded. The language of the 18th section of the act is this: "*And be it further enacted*, That when any person held to labour or service, in any State or Territory, or in the District of Columbia, shall escape therefrom, the party to whom such service or labour is due, he, or his agent or attorney, may apply to any Court of Record therein, or Judge thereof in vacation, and make satisfactory proof" &c.

Now it is insisted that this provision is clearly prospective, and therefore inapplicable to the case of an escape from labour or service occurring before the passage of the act; and such, I am constrained to say, appears to me to be the plain sense of the enactment. It was agreed by the counsel for claimant that this being a remedial act, it is to be so construed as to suppress the mischief, and advance the remedy; and that if it can be reasonably inferred from its whole tenor, that the provision in question was designed to act retrospectively, it is to be so interpreted. But when the language of a statute is unambiguous, and leads to no absurdity or palpable injustice, it is to be interpreted according to its natural import. It may be conceded that the legislative intent imported by the words used, might have been more explicitly declared, by the addition, immediately after the word "shall," of the word *hereafter*, or of the words *after the passage of this act*; but it cannot, I think, be maintained that this intent is not unequivocally expressed by the word "shall" alone. If I were permitted, however to look beyond the terms of the provision itself, and to speculate upon its probable design, I am unable to perceive that the result would be varied. The only other part of this act specifically referred to by the counsel for the claimant, for the purpose of shedding light upon that under consideration, is the beginning of the sixth section, which provides for a different mode of establishing the facts of title and escape.

The words here are: "That if a person held to service or labour, in any State or Territory of the United States, has heretofore, or shall hereafter escape," &c. The argument is, that it is manifest from this language that Congress intended to provide for cases of prior as well as subsequent escape. There can be no doubt of this, so far as the provisions of this section are concerned. But it is to be considered that the 10th section introduced a most important innovation upon the law as it was before the passage of the act. It authorizes an *ex parte* application to a Court or Judge to be selected by the claimant, in the absence of, and without notice to the party to be affected by the proceedings, to determine questions of fact involving his freedom or servitude for life, declares the decisions of such Court, or Judge to be full and conclusive evidence of the facts decided, and therefore binding upon the judgment and conscience of the Court, Judge or Commissioner in any other State, before whom the alleged fugitive may be reclaimed. It is not my province to express any opinion upon the reasonableness of this great innovation It must be conceded that there were not wanting strong and justifiable motives for this enactment, and it is sufficient for those whose duty it is to execute it, that Congress have seen fit to adopt it.

But it may, I think, be well supposed that in deference to the spirit of the great principle of natural justice and Constitutional law, which forbids the enactment of *ex post facto* laws, it was intentionally limited to cases of escape from servitude, thereafter to occur; and this inference, I am of opinion, is rather strengthened than weakened by the retroactive phraseology employed in the 6th section. The liability of this provision to abuse is too obvious to escape notice, and it is worthy of observation, that in the present case, as it appears the record of the Kentucky Court, instead of requiring the personal attendance of the witnesses of the claimant, the court saw fit, in the discharge of the grave and responsible duty imposed upon it by the act, to receive affidavits, and to act upon them alone, although the deponents are described as residents of the city of Louisville, where the Court was held. It may well be that these witnesses were creditable persons, able from their own knowledge to attest to all the facts requisite fully to warrant the decision of the Court, and that a careful cross-examination would have elicited no other facts favourable to the petitioner; but conceding that the evidence before the Court might lawfully be held by it to constitute the "satisfactory proof" required by the act, the opposite course of procedure would, to say the least, have been more consonant with the established, and, as I had supposed, universally recognised principles of enlightened jurisprudence. I am therefore also of opinion, that it is my duty to apply to this enactment the same rule of construction that is applicable to penal statutes. "It was," says Professor Christian, "one of the laws of the twelve tables of Rome, that whenever there was a question between liberty and slavery, the presumption should be on the side of liberty. This excellent principle our law has adopted, in the construction of penal statutes; for whenever any ambiguity arises in a statute introducing a new penalty or punishment, the decision shall be on the side of lenity and mercy; or in favour of natural right and liberty; or in other words, the decision shall be according to the strict letter in favour of the subject. And though the Judges in such cases may frequently raise and solve difficulties contrary to the intention of the Legislature, yet no further inconvenience can result than that the law remains as it was before the statute. And it is more consonant to principles of liberty, that the Judge should acquit whom the legislator intended to punish, than that he should punish whom the legislator intended to discharge with impunity."—1 Blac. Comm. 88. note 19.

The result of this examination then is, that though the evidence on which alone the Commissioner founded his adjudication would have been sufficient and conclusive in a case arising after the passage of the act, it was wholly inapplicable to a case like the present, arising before the passage of the act. In other words, as appears on the face of the certificate itself, the adjudication was made without evidence, and the only question is whether this great error, arising, I have no doubt, from inadvertance, can be corrected on *habeas corpus*. I think it may, and that it is my duty to do it If, as it has been said, "a good warrant is a good cause of detention," the converse of the proposition is not less true. I shall accordingly allow the writ, but it must be made returnable before me at the Court House in Buffalo, at two o'clock, P. M., to-morrow.

☞ The reports in the cases of Bolding and Davis occupy so large a space in our columns this week, that much, both of editorial matter and the communications of correspondents, must go over to our next issue. Among the latter we regret to leave out the second letter of Dr. Smith, but it is unavoidable.

Communications.

THE NORTH STAR.

The temper of "the Astrologer," of the *National Anti-Slavery Standard*, we are sorry to say, has not improved under the admonitory treatment administered in our reply to his letter. Thinking it something new under the sun for our race to produce an astrologer, we meekly acknowledged the star-gazing superiority of our opponent, and gave his smart letter to the public, that they, like ourselves, might bow in reverence to the genius of Pearl Street But the second letter which we find in the *National Anti-Slavery Standard* (the favourite organ of Mr. Powell) has not even the colour of a claim to publication It is but a *rehash* of a dish, such as a less skilful caterer than the cook of "the Seaman's Home" might have produced, and has no other merit than that of divulging the secret by which William P. Powell is now spoken of by the *Standard* as a "*wealthy and intelligent coloured man.*" With these few words we leave the astrologer to flutter in the glory of his lofty profession.—*Frederick Douglass' Paper.*

THE NORTH STAR.

"The temper of the" *tinker* of the *North Star*, in whose hands the crippled planet is now undergoing repairs, "I am sorry to say," has not improved under the Gastronomic "treatment of last week's" *rehash.* It seems that salt beef does not agree with his appetite. Certainly, he could not expect any better grub on board of this ship; as a green hand, he should have known when he entered that; on a voyage of this kind (human rights), the articles of agreement do not guarantee the hands fresh provisions nor soft-tack, but salt provisions and hard bread It is the quantity as well as the quality that Jack contends for.

In order to simplify this pleasant *tete-a-tete*, and make it profitable (if not agreeable) to all parties concerned, even if the respondent insists upon throwing dust in the eyes of his subscribers by refusing to publish my answer to his "admonitory treatment administered" in his usual sarcastic sneers, and as he has some indistinct recollections of the Sailor's House in Pearl Street, I will just turn him over to the *Cook*, who will endeavour to cater to his appetite according to the best of his ability. Now let each man act his part.

Characters—Fred, Cook, Captain, all hands.

Fred—Cook, will you save me a bucket of slush? I have got to scrape and slush all the light spars of the ship; it's too bad to make me do all this kind of work; why don't they make the sailors take their turn at the same kind of work? it is my watch below this afternoon, and the mate says I must stay on deck, as a punishment for grumbling.

Cook—Well, my boy, you must remember that, in order to make a good sailor, you must scrape and slush the masts, tar the rigging, pass the ball, wait on the sailors, clean out the forecastle, and such other work fit only for boys; you must not only do all this, but you must learn to furl the light sails, shin up the royal mast heads, clear the signal haulyards; and when the sailors laugh or joke at your blunders, take it all in good humour.

Fred—Oh, dear, the sailors have told me all you have said and more too; "ten years, yea, all my lifetime," I have been trying to learn my duty in order to make myself useful to my shipmates; it's too bad; I will leave the ship; and if I can't get my discharge, I will desert. Cook, is it seven bells? is dinner ready?

Cook—Yes, all ready, my son; here, take this beef and duff for your watch; go to the steward for molasses; eat a hearty dinner, and give the ship a good name

Fred—I want to know if you think I will disgrace myself by eating your salt beef? Can't the owners afford to give us fresh provisions when in port? The sailors tell me that we are allowed all the delicacies that the market contains, and that is your fault we don't have them

Cook—Fred, ever since you came on board this ship, you have been treated with the utmost kindness; the owners say you were *spoiled* by your parents, you being the particular favourite of the whole family; they indulged you in all your whims and notions; they even sent you into foreign lands, thinking that it would do both you and them good. Well, so far as the act itself is concerned, whilst you sojourned among strangers, they made a *man* of you. Now you have joined this ship, don't you mind all the sailors tell you; remember, my lad, you are (notwithstanding your experience) nothing but a green hand; and if there are any complaints to make, that the old salts would be the best *organ* to ask for a redress of grievances. Now, Fred, don't turn up your nose at me; hear to sense and reason; I know you have got a notion in your head, because you can box the compass, hand reef and steer, smoke a segar, and swear a good oath; that you are an able seamen. There are many things, my lad, to learn before you can pass for an old salt.

Fred—Tell that to the marines, and not to me; your advice, cook, is something like the mess you gave us a few days ago, which was "but a rehash of a dish such as"—I eat when a boarder "at the Seamen's Home in Pearl Street," and "has no other merit than" that *you* are no Cook. It fills me with disgust every time I think of that house and its inmates—how I had to mingle with the tarry old sailors, merely to keep up appearances; it humbles my pride to think of it. The "Genius of Pearl Street" is constantly harrassing me with his astrological discoveries, nautical phrases, and God only knows what next he will do or say. Oh! dear, my sufferings are intolerable. Plague on that Sailor's Home; the mention of the name of the "wealthy and intelligent" proprietor makes me seasick. Ugh! Ugh!!

Cook—Help! help!! the boy Fred is sick, even unto madness; he is subject to fits; ever since he has been on board this ship he has been grumbling about this and that thing, and about his grub. I have endeavoured to pacify him, but all to no purpose; he has no respect for his Captain, officers or shipmates; and as for me, who have to stand over this hot fire, rain or shine, blow high, blow low, and endure the heat and burden of the day, he will not allow even me to tell him his faults; this now is the cause of his sickness. I believe he is skulking to get rid of work; take him below.

Cook (soliloquizing)—We have, indeed fallen upon strange times; never in all my experience, and I claim to have seen and heard a great deal for one of my age, never have I seen such a curious boy as this Fred. We have had several boys in our ship who did tolerably well for a while, and were the pride and boast of the whole crew, viz: Theodore, Charley, Samuel, Henry, James and Christopher, all promoted chaplains in our service, and were an honour to their calling; but, for some cause or other, they left the service, when they found it would not pay. Strange times. Well, I must look after the boy Fred. I am afraid we shall lose him, poor boy. I will do all I can to save him; he has no friends on board; the sailors don't like him; the officers are down on him; and if it was not for me nursing and coaxing the fellow, he wouldn't have any one to talk to. I am in hopes, in a few days or weeks, to get the fellow on his feet again. Till then, shipmates, let him have your sympathy.

Wm. P. Powell.

Franklinville, Cattaraugus Co., N. Y.

Ed. Standard—*Dear Sir:* For some months past (a few weeks excepted) I have been in this County, making a little effort in behalf of the doctrine of universal and impartial liberty, once delivered to the world by Jesus Christ, since set forth in the Declaration of American Independence, and now contended for by the uncompromising Abolitionists of this slaveholding and kidnapping Republic.

Cattaraugus County, though I have not taken the pains to ascertain its precise latitude or longitude, or its particular geographical or territorial limits, is somewhere in God's creation, as its running brooks and waving forests, its rugged hills and fertile vallies, its rain and sunshine, seed time and harvest, and an occasional Abolitionist, testify That the Devil has made sad havoc with the people, however, the multitudes who, in their blindness, appear ever anxious to fall down and worship the grim and bloody idol, set up by the American Government, give melancholy proof

Here, as everywhere else in this tyranny-stricken and almost God forsaken land, not one in a thousand know, or care to know, the first letter of the first principle of the Christianity they profess or the Republicanism they boast. Crowded in the car of a worldly business which looks to nothing but individual wealth and aggrandizement; whirling the rounds of a system of *infernal* politics, which aims at the subversion of the rights of one portion of the human family, in order to secure unequal and unrighteous advantages to another; shouting the praises of a fair-faced and smooth-worded, but dark-hearted and cloven-footed religion, which, under the guise of a tender concern for the soul's welfare, and in the name of God, grasps, in loving fellowship, the bloody hand of the monster that converts men into beasts, makes merchandise of immortality, sells God's image, on the auction block, to the highest bidder, and drives Jesus Christ to unpaid toil, under the whip—they go on, regardless of their obligations to humanity, careless of the inevitable consequences of a course of iniquity; they go on and dream not that, coward and foul and Satan-like, they are weaving the winding-sheet of oppression for themselves, forging manacles for their own hands, digging the graves of their own liberties, and laying broad and deep the foundation of their own prison-house of despair.

But there is one ground of hope for Cattaraugus County more than for those Counties that have more frequently sat under the sound of the Abolition Gospel. Abolition truth, like all other moral truth, as it comes before the mind, necessarily proves a savour of life unto life, or of death unto death. It either reforms or hardens the hearer. No man ever yet listened to it, and comprehended it, without being made better or worse, without being brought nearer heaven or driven toward hell, in proportion as he honestly embraced or dishonestly repulsed it. There is no stand-still point within sight or hearing of it. This County, as far as I can learn, has not generally come in direct contact with it. It has only heard of it, and the information has been generally derived from its enemies. The people listen, when you can get their ears, with more apparent interest than in any part of the State I have ever visited, excepting at our great Conventions, when the soul of the community has been stirred to its lowest depths by the powerful logic, the thrilling appeals, and the all-conquering eloquence, of such speakers as Garrison, Thompson, Pillsbury, Burleigh, Smith, the Fosters, &c.

The plan of operation I have adopted and purpose pursuing in this County, while I remain in it, is to organize, as far as practicable, the little Abolition strength, in each town, with a view to exert what influence they can in their own communities, and to the formation of a County Society, this coming Fall, based upon the principle of "No Union with Slaveholders," to co-operate with the American Society, for the accomplishment of the great purpose of rescuing the American Government from the jaws of Oppression, and placing it in the arms of impartial Freedom, and of lifting the American Church out of the slough of dark and guilty error, and planting it on the rock of eternal Truth.

This, it seems to me, is the one thing needful. The true Abolitionists of the country are so scattered, that, with here and there an exception, they do not know each other beyond the limits of their own towns, and not unfrequently their own neighbourhoods. Consequently, they have no concerted plan of operation, not even a common purpose, in regard to the means to be employed

Slavery is to be overthrown, we believe, by purifying the public heart, and directing the public sentiment against it. This will require a well and thoroughly organized effort, one that will bring every true Abolitionist, male and female, in the country, face to face; one that will bring heart in direct contact with heart, and soul to emulate soul, in the accomplishment of a well defined, well-understood, well-directed and determined purpose.

The more I reflect on this matter, and the more experience I have as a labourer in the field, the more am I convinced that the advantage of an entire chain of organization, running through every town and county of the State, is incalculable.

The American Society lays down the platform of avowed and uncompromising hostility to Slavery, on the ground of the slave's *right* to be free. This is the principle. As the common sense and common honesty of mankind decide that Slavery exists in this country by the consent and approval of a wickedly corrupt public sentiment, it goes directly to work to use the appropriate means to renovate and purify that sentiment. This is the first work to be done. The constitutionality or unconstitutionality of Slavery is an after and separate consideration, a question on which Liberty Party Abolitionists or no-voting Abolitionists may join issue, in its proper place. On the ground of unceasing war with Slavery, and the necessity of reforming public sentiment, as the first step toward its overthrow, all true Abolitionists are agreed. Here they can all unite leaving each individual free to act with the Liberty Party or not to act with it, as his judgement shall decide and his conscience shall dictate.

But I must cut short this communication, as I am about leaving the vicinity of Post Offices, for a few days. I Shall say a word further on this subject as soon as time and circumstances will permit. Have succeeded in getting up several Societies in several towns, and hope to meet with better success now, as the harvest season is nearly over. Will report progress occasionally.

Yours hastily, J. H. Philleo.

Poetry.

We are indebted to the Rev. Richard Knight, an English clergyman, now residing in the town of Ohio, in this State, for the following poem by Ebenezer Elliott, the Corn Law Rhymer, which has never been published. It was addressed to Mrs. Knight on the occasion of the death of a child:

Mother! I come from God, and bliss;
Oh, bless me with a mother's kiss!
Though dead, I spurn the tomb's control,
And clasp thee in th' embrace of soul.
No terrors daunt, no cares annoy,
No tyrants vex thy buried boy;
Why mourn for him who smiles on thee?
Dear Mother, weep no more for me.

Where angels dwell in glen and grove.
I sought the flowers which mothers love;
And in my garden I have set
The primrose and the violet;
For thee, in heav'n, the cowslip blows:
For thee, the little daisy grows;
When wilt thou come my flowers to see?
Nay, Mother! weep no more for me.

Christ's mother wept on earth for him,
When wept in heav'n the seraphim;
And o'er th' eternal throne, the light
Grew dim, and saddened into night;
But where through bliss heav'n's rivers flow,
That Mother now is with her son;
They miss me there, and wait for thee—
Come, Mother, come! why weep for me?

I set a rose our home beside;
I know the poor memorial died;
The frost hath chipp'd my letter'd stone;
My very name from earth is gone!
But in my bower that knows not woe,
The wild hedge-rose and woodbine glow;
There redbreasts sing of home and thee;
Come, Mother, come! we wait for thee.

Ebenezer Elliott.

Upperthorpe, 3d Aug., 1838.

Miscellany.

DANIEL DE FOE.

No sooner, however, was the authorship of the satire ("Shortest Way with the Dissenters") traced to De Foe, than a storm burst upon his head. The High Flyers were ashamed at having been so thoroughly deceived, and vexed at having their designs so discovered and given to the world by an Independent; and they blushed when they reflected how they had applauded the book, and as they were now obliged to condemn it, so they were hampered betwixt doing so and pursuing their rage at the dissenters. The greater part of them, in order to condemn the author, condemned the principles, for it was impossible to do one without the other, and they laboured in print and in the pulpit to clear their church of the slander. But this still answered the writer's end; for, the more they censured the practices he recommended, the more they condemned such wretches as their pet Sacheverell. But he had wounded the tenderest part of these men's human nature, and few men can pardon a wound in their self-esteem. They might have overlooked, or answered an insult, but he had made them laughing-stocks to themselves, and their very discovery of this made them laughing-stocks to the world. So they resolved to punish him. A reward of fifty pounds was offered for his apprehension; and his pamphlet was burned by the hangman. He wrote a defence, but it availed nothing. His printers were arrested, and he, to save them, gave himself up to the law, which treated him with the utmost cruelty. He was tried at the Old Baily, in June, 1703, having lain in prison six months. He was advised to plead guilty, with many half promises that if he abstained from defending himself he would find mercy. In this his own lawyers concurred, and he accordingly did so. But it was a snare. He was found guilty; there was no recommendation to mercy; and his sentence was—a fine of 200 marks; to stand thrice in the pillory; to be imprisoned during pleasure; and to find sureties for good behaviour for seven years.

This infamous sentence was sufficiently severe in itself. But its consequences were severer still; from being in respectable circumstances, he was reduced to ruin. His Pantile company was completely broken up; and he had no other means of supporting his wife and children, while in prison, than by his pen. Besides which, he lost the countenance of many of his friends, who could not believe an innocent man would be so severely punished.

The brave man was not to be subdued by means like these. He was put up in the pillory at Temple Bar, in Cheapside, and at the Royal Exchange, where every second man knew him; but, by a poem which he circulated among the people, he turned the disgrace of the punishment upon those who inflicted it. "Hail! hieroglyphic state machine," he exclaimed, addressing the pillory,

"Contrived to punish fancy in."

"Tell all people that De Foe stands upon it:

"Because he was too bold,
And told those truths which he should not have told,
That thus he is an example made,
To make men of their honesty afraid!
Tell them the men that placed him here
Are scandals to the times,
Are at a loss to find his guilt,
And can't commit his crimes!"

For this publication, however, the government did not care to prosecute him, having already gone too far that way.

And now he turned with stern determination to provide bread for his family. We cannot give an abstract of all he wrote in his imprisonment; we shall only refer to some of the chief topics. In his "Reformation of Manners," he says of the slave traders, respecting their infamous traffic, which had never before been censured:

The harmless natives basely they trepan,
And barter baubles for the souls of man;
The wretches they to Christian climes bring o'er,
To serve worse heathens than they did before.

Thus stepping so far in advance of his age in this as in so many other things.

. . . .

His most extraordinary work, which he commenced and carried on in prison, was the "Review," a periodical which he at first issued once, then twice, and ultimately thrice a week, writing the whole of it himself, and continuing it for nine years. This, independently of his other elaborate works, written at the same time, is a feat unparalleled in the history of letters; and considering the variety, pathos, wit, and satire contained in it, would have served, if he had left no other works, as an imperishable monument of his genius.

In 1704, his enemies' administration ended, and Harley entered office. De Foe's almost boundless talents and invention, although employed under all the disadvantages of personal captivity, had naturally drawn much attention to him. Many attempts had been made to win him, but in vain—he was not in the market; they could not buy the indomitable dissenter. But Harley was almost one of his own school, and though he could not buy his services, he got him set free from prison, and afterwards made a useful public servant of him. He left Newgate in August of that year.

He retired with his family to the country, and continued his literary labours. But malignity followed him there. He was said to have stolen from custody; this he answered by offering himself to the officer, who said he had a warrant against him. His works were reprinted in a garbled form. His reviews were stolen from the coffee-houses to prevent their being read. His debts were bought up that he might be prosecuted. He was summoned before magistrates on frivolous pretences. He was harrassed in every conceivable way. At one time, he says, he had fifteen letters threatening to kill him, some naming the very day and manner of the murder.

Still he held on his way; steadfastly walking by that inner light of truth which was his constant guide. Not too peacefully, however, for he took every occasion to show his scorn of his opponents. He was several times waylaid, but came to no harm; and he told his enemies that he put such trust in God and his own rectitude, that he should adopt no other caution against them than to stay at home at night, because he was persuaded they would not do their murderous work by day; or by day he would wear armour on his *back*, because he was sure they would not attack him face to face.

. . . .

And now comes the most wonderful part of our tale. He languished for six months (Mr. Chalmers says six weeks), between life and death, at the end of which time his constitution suddenly threw off the disease, and he returned once more to the world. But he was no longer a dispirited and broken man. Like a phœnix new rising from the ashes, he came from the bed of sickness as with new youth, with fresh energies and renovated powers.

He devoted them almost entirely to fresh pursuits. Thirty years of political struggling was enough even for him. His first work was "The Family Instructor," written in dialogue. Its object was the revival of family religion, which had visibly decayed; and the piety, as well as the nature and good sense pervading it, have kept it popular till the present day.

His chief labours were, however, in fiction; and the series of imaginative works which he now poured forth, will, as Mr. Wilson says, entail honour on his name, as long as true genius, consecrated by moral worth, shall be esteemed. His stores of reading, and his intimate knowledge of mankind, were now turned to account. His fancy and judgment had been ripened, and, at the same time, chastened by his many sufferings. The first and greatest of these works was "Robinson Crusoe."

The number of genuine good works that have been refused by "the trade," is extraordinary. "The Fathers," as Southey calls them, are a timid race. Novelty is the worst characteristic of a book with them; good, common-place matter, is the safer card. It has ever been so. Not to speak of "Paradise Lost," and works of olden times—in our days "Pelham" was refused, and "Vestiges of Creation" was refused; and "Mary Barton" went the round of the trade. "Vanity Fair" was rejected by a magazine. We need not wonder, then, that no one would undertake "Robinson Crusoe." It was at last bought for a mere trifle by an obscure bookseller; while if De Foe could have published it at his own risk, it would have made his fortune.

ORIGIN OF THE MORMON IMPOSTURE.

The *Rochester American* publishes the following from a forthcoming work by Mr. Turner, entitled *History of Philip and Gorham's Purchase*. It is succinct, and communicates some facts coming within the author's personal knowledge:

"As we are now at the home of the Smith family—in sight of 'Mormon Hill'—a brief pioneer history will be looked for, of the strange and singularly successful religious sect—the Mormons; and brief it must be, merely starting it in its career, and leaving to their especial historian to trace them to Kirtland, Nauvoo, Beaver Island, and Utah, or the Salt Lake.

"Joseph Smith, the father of the prophet, Joseph Smith, Jr., was from the Merrimack River, N. H. He first settled in or near Palmyra village, but as early as 1819 was the occupant of some new land on 'Stafford Street,' in the town of Manchester, near the line of Palmyra.* 'Mormon Hill' is near the plank road about half-way between the villages of Palmyra and Manchester. The elder Smith had been a Universalist, and subsequently a Methodist; was a good deal of a smatterer in Scriptural knowledge, but the seed of revelation was sown on weak ground; he was a great babbler, credulous, not especially industrious, a money-digger, prone to the marvellous; and, withal, a little given to difficulties with neighbours, and petty law-suits. Not a very propitious account of the father of a prophet—the founder of a State; but there was a 'woman in the case.'

"Mrs. Smith was a woman of strong, uncultivated intellect; artful and cunning; imbued with an ill-regulated religious enthusiasm. The incipient hints, the first givings out that a prophet was to spring from her humble household, came from her; and when matters were maturing for denouement, she gave out that such and such ones—always fixing upon those who had both money and credulity—were to be instruments in some great work of new revelation. The old man was rather her faithful co-worker, or executive exponent. Their son Alvah was originally intended, or designated, by fireside consultations and solemn and mysterious out-door hints, as the forthcoming prophet. The mother and the father said he was the chosen one; but Alvah, however spiritual he may have been, had a carnal appetite; ate too many green turnips, sickened and died. Thus the world lost a prophet, and Mormonism a leader; the design, impiously and wickedly attributed to Providence, was defeated; and all in consequence of a surfeit of raw turnips. Who will talk of the cackling geese of Rome, or any other small and innocent cause of mighty events, after this? The mantle of the prophet which Mr. and Mrs. Joseph Smith and one Oliver Cowdery had wove themselves—every thread of it—fell upon their next eldest son, Joseph Smith, Jr.

"And a most unpromising recipient of such a trust was this same Joseph Smith, afterwards 'Jo Smith.' He was lounging, idle (not to say vicious), and possessed of less than ordinary intellect. The author's own recollection of him are distinct. He used to come into the village of Palmyra, with little jags of wood, from his backwoods home, sometimes patronising a village grocery too freely; sometimes finding an odd job to do about the store of Seymour Scovell; and once a week he would stroll into the office of the old *Palmyra Register*, for his father's paper. How impious in us young 'dare *devils*,'† to once in a while blacken the face of the then meddling and inquisitive lounger—but afterwards prophet—with the old-fashioned balls, when he used to put himself in the way of the working of the old-fashioned Ramage press! The editor of the *Cultivator* at Albany—esteemed as he may justly consider himself for his subsequent enterprise and usefulness—may think of it with contrition and repentance, that he once helped us to disfigure the face of a prophet, and, remotely, the founder of a State.

"But Joseph had a little ambition, and some very laudable aspirations; the mother's intellect occasionally shown out in him feebly, especially when he used to help us to solve some portentous questions of moral or political ethics, in our juvenile debating club, which we moved down to the old red school-house on Durfee Street, to get rid of the annoyance of critics that used to drop in upon us in the village; and subsequently after catching a spark of Methodism in the camp meeting, away down in the woods, on the Vienna road, he was a very passable exhorter in evening meetings.

"Legends of hidden treasure had long designated 'Mormon Hill' as a repository. Old Joseph had dug there, and young Joseph had not only heard his father and mother relate the marvellous tales of buried wealth, but had accompanied his father in the midnight delvings, and incantations of the spirits that guarded it.

"If a buried revelation was to be exhumed, how natural was it that the Smith family, with their credulity, and their assumed presentiment, that a prophet was to come from their household, should be connected with it; and that 'Mormon Hill' was the place where it would be found.

"It is believed by those who were best acquainted with the Smith family, and most conversant with the Gold Bible movements, that there is no foundation for the statement that their original manuscript was written by a Mr. Spaulding, of Ohio. A supplement to the Gold Bible, *The Book of the Commandments*, in all probability was written by Rigdon, and he may have been aided by Spaulding's manuscripts; but the book itself is, without doubt, a production of the Smith family, aided by Oliver Cowdery, who was school-teacher on Stafford Street, an inmate of the Smith family, and identified with the whole matter. The production, as all will conclude who have read it, or even given it a cursory review, is not that of an educated man or woman. The bungling attempt to counterfeit the style of Scriptures; the intermixture of modern phraseology; the ignorance of chronology and geography; its utter crudeness and baldness, as a whole, stamp its character, and clearly exhibit its vulgar origin. It is a strange medley of Scripture, romance and bad composition.

"The primitive design of Mr. Smith, her husband, Jo and Cowdery, was money-making; blended with which, perhaps, was a desire for notoriety, to be obtained by cheat and fraud. The idea of being the founders of a new sect was an afterthought, in which they were aided by others.

"The projectors of the humbug, being destitute of means for carrying out their plans, a victim was selected to obviate that difficulty. Martin Harris was a farmer of Palmyra, the owner of a good farm, and an honest, worthy citizen; but especially given to religious enthusiasm, new creeds, the more extravagant the better; a monomaniac, in fact. Joseph Smith, upon whom the mantle of prophecy had fallen, after the sad fate of Alvah, began to make demonstrations. He informed Harris of the great discovery, and that it had been revealed to him that he (Harris) was a chosen instrument to aid him in the great work of surprising the world with a new revelation. They had hit upon the right man. He mortgaged his fine farm to pay for printing the book, assumed a grave, mysterious and unearthly deportment, and made here and there among his acquaintances solemn annunciations of the great event that was transpiring. His version of the discovery, as communicated to him by the prophet Joseph himself, is well remembered by several respectable citizens of Palmyra, to whom he made early disclosures. It was in substance as follows:

"The prophet Joseph was directed by an angel where to find, by excavation, at the place afterwards called Mormon Hill, the gold plates; and was compelled by angel, much against his will, to be interpreter of the sacred record they contained, and publish it to the world. That the plates contained a record of the ancient inhabitants of this country, 'engraved by Mormon, the son of Nephi.' That on the top of the box containing the plates, 'a pair of large spectacles were found, the stones or glass set in which were opaque to all but the prophet;'—that 'these belonged to Mormon, the engraver of the plates, and without them the plates could not be read.' Harris assumed that himself and Cowdery were the chosen amenuensis, and the prophet Joseph, curtained from the world and them with spectacles, read from the gold plates what they committed to paper.

"Harris exhibited to an informant of the author, the manuscript title-page. On its was drawn, rudely and bunglingly, concentric circles, between, above and below which were characters, with little resemblance to letters, apparently a miserable imitation of hieroglyphics, the writer may somewhere have seen. To guard against profane curiosity, the prophet had given out that no one but himself, not even his chosen coöperators, must be permitted to see them, on pain of instant death. Harris had never seen the plates, but the glowing account of their massive richness excited other than spiritual hopes, and he, upon one occasion, got a village silversmith to help him estimate their value, taking as a basis the prophet's account of their dimensions. It was a blending of the spiritual and utilitarian, that threw a shadow of doubt upon Martin's sincerity. This, and some anticipations he indulged in as to the profits that would arise from the sale of the Gold Bible, made it then, as it is now, a mooted question whether he was altogether a dupe.

"The wife of Harris was a rank infidel and heretic touching the whole thing, and decidedly opposed to her husband's participation in it. With sacrilegious hands she seized over a hundred of the manuscript pages of the new revelation, and burned or secreted them. It was arranged by Smith and family, Cowdery and Harris not to transcribe these again, but to let so much of the new revelation drop out, as the 'evil spirit would get up a story that the second translation did not agree with the first.' A very ingenious method, surely, of guarding against the possibility that Mrs. Harris had preserved the manuscript with which they might be confronted, should they attempt an imitation of their own miserable patchwork.

"The prophet did not get his lesson well upon the start, or the household of imposters were in fault. After he had told his story, in his absence, the rest of the family made a new version of it to one of their neighbours. They showed him such a pebble as may any day be picked up on the shore of Lake Ontario—the common horn-blend—carfeully wrapped in cotton and kept in a mysterious box. They said it was by looking at this stone, in a hat, the light excluded, that Joseph discovered the plates. This, it will be observed, differs materially from Joseph's story of the angel. It was the same stone that the Smith's had used in money digging, and in some pretended discoveries of stolen property.

"Long before the Gold Bible demonstration, the Smith family had, with some sinister object in view, whispered another fraud in the ears of the credulous. They pretended that in digging for money at Mormon Hill, they came across a chest, three by two feet in size, covered with a dark-coloured stone. In the centre of the stone was a white spot about the size of a sixpence. Enlarging, the spot increased to the size of a twenty-four pound shot, and then exploded with a terrible noise. The chest vanished and all was utter darkness.

"It may be safely pronounced that in no other instance have the prophets and chosen and designated of angels, been quite as calculating and worldly as were those of Stafford Street, Mormon Hill, and Palmyra. The only business contract—veritable instrument in writing, that was ever executed by spiritual agents, has been preserved: and should be among the archives of the New State of Utah. It is signed by the prophet Joseph himself, and witnessed by Oliver Cowdery, and secures to Martin Harris one half of the proceeds of the Gold Bible, until he was fully reimbursed in the sum of $2,500, the cost of printing.

"The after-thought which has been alluded to—the enlarging of original intentions—was at the suggestion of S. Rigdon, of Ohio, who made his appearance, and blended himself with the poorly-devised scheme of imposture, about the time the book was issued from the press. He unworthily bore the title of a Baptist elder, but had by some previous freak, if the author is rightly informed, forfeited his standing with that respectable religious denomination. Designing, ambitious and dishonest, under the semblance of sanctity and assumed spirituality, he was just the man for the use of the Smith household, and their half-dupe and half-designing abettors; and they were just the fit instruments he desired. He became at once the Hamlet, or more appropriately, perhaps, the Mawworm of the play.

"Under the auspices of Rigdon a new sect, the Mormons, was projected. Prophecies fell thick and fast from the lips of Joseph; old Mrs. Smith assumed all the airs of a mother of a prophet; that particular family of Smiths were singled out and became exalted above all their nicknames. The bald, clumsy cheat found here and there an enthusiast, a monomanic, or a knave, in and around the primitive locality, to help it upon its start; and soon, like another scheme of imposture, (that had little of dignity and plausibility in it,) it had its Hegira or flight, to Kirtland, then to Nauvoo; then to a short resting-place in Missouri—and then on and over the Rocky Mountains to Utah or the Salt Lake. Banks, printing-offices, temples, cities, and finally a State have arisen under its auspices. Converts have multiplied to tens of thousands. In several of the countries of Europe there are preachers and organized sects of Mormons; believers in the divine mission of Joseph Smith & Co.

"And here the subject must be dismissed. If it has been treated lightly—with seeming levity—it is because it will admit of no other treatment. There is no dignity about the whole thing; nothing to entitle it to mild treatment. It deserves none of the charity extended to ordinary religious fanaticism, for knavery and fraud has been with it incipiently and progressively. It has not the poor merit of ingenuity. Its success is a slur upon the age. Fanaticism promoted it at first; then ill-devised persecution; then the designs of demagogues who wished to command the suffrages of its followers; until finally an American Congress has abetted the fraud and imposition by its acts, and we are to have a State of our proud Union—in this boasted era of light and knowledge—the very name of which will sanction and dignify the fraud and falsehood of Mormon Hill, the gold plates and the spurious revelation. This much, at least, might have been omitted out of decent respect to the moral and religious sense of the people of the old States."

* Here the author remembers to have first seen the family in the winter of '19 and '20, in a rude log-house, with but a small spot of underbrush around it.

† To soften the use of such an expression, the reader should be reminded that apprentices in printing offices have, since the days of Faust and Gottenberg, been thus called, and sometimes it was not inappropriate.

THOMAS CARLYLE—HIS LITERARY CAREER.

This remarkable man was born, I believe, in the year 1795, near Ecclefechan, a hamlet of Dumfriesshire, which lies in the midst of a quiet pastoral and agricultural district. His father, I have heard, was a mason or small builder, who afterwards added to his first occupation the care of a slender farm. Unlike his immediate progenitors who are said to have been more noted for strength of head and hand than for rigidity of manners, Carlyle's father, according to the general testimony, was a man of great exactness of walk, of earnest and religious disposition, and full of native wisdom; in fact, one of those rustic heroes whom Carlyle delights to paint, when, as in the case of the fathers' of Burns and Diderot, he meets with them in real life. The family was a pretty numerous one of sons and daughters, and reckons among its members the gentleman who a few years ago published an excellent translation of Dante's *Inferno*. The youthful Carlyle received the rudiments of education at a neighbouring parish school, but not showing such progress in the acquisition of Latin as was to be expected from a boy of his talent, was committed to the charge of an old clergyman of the district, under whom he made rapid strides, and was pronounced at an early age fit for Edinburgh University. Thither, accordingly, he was sent, as I calculate, about the year 1813, with a couple or so of years allowed him to determine what profession would suit him best. The session of Edinburgh University occupies little more than a half of the year, and the remainder for some time was spent under his father's roof. After a year or two, it would seem that the Church of Scotland was fixed on as the arena in which Carlyle's talents were to be displayed, and the long and dreary probation of eight years which that Church demands was accordingly entered on. Carlyle's academic career was of a mixed character. According to his college contemporaries, he was distinguished by proficiency neither in classics, nor in science, nor in metaphysics; his favourite and successful study was geometry. His aptness for this gained him the liking and approbation of Prof. Leslie, who then filled the chair of mathematics at Edinburgh, and through him the young Carlyle became a teacher as well as a learner of the science; especially for several years at a school in Kirkaldy, a town almost fronting Edinburgh on the opposite side of the Frith of Forth, and from which the young student of divinity could easily repair, at stated intervals, to college to read the necessary exercises; just as our non-resident students of law eat their terms at the Temple or Lincoln's Inn. Carlyle's residence at Kirkaldy, with its occasional escapes to Dumfriesshire, was, as might be expected from his age, a most important period of his life.—His attachment to, and prosecution of the study of geometry were confirmed by the nature of his daily avocations, and produced in his mind a certain stiffiness, so to speak, of which there are traces in his earlier productions. At Kirkaldy, too, he made or strengthened an acquaintance with Edward Irving, like himself an Annandale man, like himself a student of divinity, and once more, like himself a teacher in a Kirkaldy school. By residents in Kirkaldy, I have heard the two described as often seen walking on the sea-beach in earnest conversation, and no doubt the doctrines of the Church which both were preparing to enter formed frequently a main portion of their talk, to which it would not be surprising if Carlyle contributed the sceptical, and Irving the believing portion. It is curious that both these men should afterwards have made so very peculiar a figure in London, as stormy denouncers (each in his own fashion) of the established present, and prophets of a better future.

In *Sartor Resartus*, Carlyle himself has so vividly painted the stages of his early mental development, and his writings throughout so unequivocally betray the peculiarities of his personal character, that it is unnecessary in a sketch like the present to dwell on either. About 1823, it would seem, he resolved to quit Kirkaldy, *not* to enter the church, but to establish himself at Edinburgh as an "author by profession." His mind had been well disciplined by his previous career; it was stored with general information by habits of miscellaneous reading, and accident had recently introduced him to the study of German literature. In his solitary Edinburgh home, the lofty stoicism of Fichte nerved him for the glorious difficulties of a literary career; the powerful and beautiful imaginings of Schiller transported him into an element of art far finer and higher than any he had breathed in the Scotts and Byrons of his time and Goethe, if not yet fully appreciated, was beginning to teach him how to cast that calm representative glance on men and things which, strangely struggling with his native vehemence of disposition, is more or less displayed in all his works. The year 1824 exhibits results of all Carlyle's past studies and culture. Sir David Brewster introduced him to *The Encyclopædia Edinensis*, then edited by that well known *savant*, and where Carlyle's articles on Montesquieu and Mantaigue, on Nelson and the county of Norfolk, and on the two Pitts, may still be read with interest and instruction. Carlyle's very earliest essay is, I believe (and it may be mentioned for the sake of future Boswells), to be seen in a number for the year 1824 of a short-lived publication called *The New Edinburgh Review*; the subject, Joanna Baille's *Plays of the Passions*. The same year witnessed the publication of a translation from his hand of Legendre's *Geometry*, published in Paris the year before, and to which is affixed an Essay on Proportions, by Carlyle himself, which has obtained, I believe, the praise of professional mathematicians. Edinburgh booksellers still hint to you of minor translations, such as that of *Paul and Virginia*, in which Carlyle had a share; but they may be safely left to the researches of future Boswells. His chief achievement in this department, belonging to the year 1824, was the translation of Goethe's famous novel of *Wilhelm Meister*, with a preface by the translator, which, as well as the translation itself, showed Carlyle to be a man of no ordinary talents. Jeffrey, while "cutting up" the novel itself in *The Edinburgh Review*, pronounced the translator to be a "person of parts."—De Quincy, on the other hand, who had previously been considered (or had considered himself) the chief English cultivator of German Literature, influenced, I fear, by jealousy, denounced *Wilhelm Meister* in *The London Magazine*, not merely as a bad book, but as a bad translation; and strove to prove Carlyle did not understand English.

About this period, Carlyle seems to have visited London for the first time; at any rate, it was now that his Life of Schiller began to appear piecemeal in *The London Magazine*, then the cleverest of metropolitan periodicals, supported by Charles Lamb, Hazlitt, Allen Cunningham, and others of their schools. On his return to Scotland (if he ever left it), Edward Irving introduced him to the family of the late Charles Buller, to whom and his brother he acted for some time as tutor. Charles Buller's career throughout life he watched with care, and it was with Mr. Buller's appointment to the Chief Commissionership of the Poor Law Board that there developed itself in Carlyle that interest in the pauper question which, peculiarly manifested, has lately astonished some of his readers. About this time also, he married a lady whom Goethe describes as "beautiful and highly cultivated," and with this event began the settled period of his existence. For some years afterwards, he lived alternately in Edinburgh, and at a little estate in Dumfriesshire, called Craigenputtoch, engaged in literary labours. During this period, he produced his *Specimens of German Romance*, and commence his connexion with *The Edinburgh* and *Foreign Reviews*. The Kirkaldy teacher had already become a noted man: among his correspondents (thanks to the translating of *Meister*) he reckoned Goethe himself, and some scraps of his letters to the illustrious German, published in a corner of Goethe's works, and now, I believe, for the first time appearing in English, throw interesting light on his life and literature up to 1830:

"THOMAS CARLYLE TO GOETHE.

"*Craigenputtoch, 25th Sept.*, 1828.

"You inquire with such warm interest respecting our present abode and occupations, that I am obliged to say a few words about both, while there is still room left. Dumfries is a pleasant town, containing about 15,000 inhabitants, and to be considered the centre of the trade and judicial system of a district which possesses some importance in the sphere of Scottish activity. Our residence is not in the town itself, but fifteen miles to the northwest of it, among the granite hills and the black morasses which stretch westwards through Galloway, almost to the Irish Sea. In this wilderness of heath and rock, our estate stands forth a green oasis—a tract of ploughed, partly enclosed and planted ground, where corn ripens and trees afford a shade, although surrounded by sea-mews and rough-wooled sheep. Here, with no small effort, have we built and furnished a neat, substantial mansion; here, in the absence of a professional or other office; we live to cultivate literature with diligence, and in our own peculiar way. We wish a joyful growth to the roses and flowers of our garden; we hope for health and peaceful thoughts to further our aims. The roses, indeed, are still in part to be planted, but they blossom already in anticipation.

"Two ponies, which carry us everywhere, and the mountain air, are the best medicines for weak nerves. This daily exercise, to which I am much devoted, is my only dissipation; for this nook of ours is the loneliest in Britain—six miles removed from every one who in any case might visit me. Here Rosseau would have been as happy as on his island of Saint Pierre.

"My town friends, indeed, ascribe my sojourn here to a similar disposition, and forebode me no good result. But I came hither solely with the design to simplify my way of life, and to secure the independence through which I could be enabled to remain true to myself. The bit of earth is our own; here we can live, write, and think, as best pleases ourselves, even though Zoilus himself were to be crowned the monarch of Literature.

"Nor is the solitude of such great importance; for a stage coach takes us speedily to Edinburgh, which we look upon as our British Weimar. And have I not, too, at this moment, piled upon the table of my little library, a whole cartload of French, German, American, and English journals and periodicals,—whatever may be their worth?

"Of antiquarian studies, too, there is no lack. From some of our heights I can descry, about a day's journey to the west, the hill where Agricola and his Romans left a camp behind them. At the foot of it I was born, and there both father and mother still live to love me. And so one must let time work. Yet whither am I tending? let me confess to you, I am uncertain about my future literary activity, and would gladly learn your opinion respecting it; at least pray write to me again and speedily, that I may ever feel myself united to you."

The next scrap shows him at work in *The Edinburgh Review*, producing his noble essay on Burns:

"The only piece of any importance that I have written since I came here is an essay on Burns. Perhaps you have never heard of him, and yet he was a man of the most decided genius; but born in the lowest rank of peasant life, and through the entanglements of his peculiar position, was at last mournfully wrecked, so that what he effected is comparatively unimportant. He died in the middle of his career, in the year 1796.

"We English, especially we Scotch, love Burns more than any that has lived for centuries. I have often been struck by the fact that he was born a few months before Schiller, in the year 1759, and that neither of them ever heard the other's name. They shone like stars in opposite hemispheres, or if you will, the thick mist of earth intercepted their reciprocal light."

The next and final letter shows him at work for *The Foreign Review*, started in opposition to *The Foreign Quarterly*, by a Mr. Fraser, and to which Southey and Carlyle adhered. The "correspondence" mentioned is that between Schiller and Goethe. The essay itself appeared, years afterwards, in *Fraser's Magazine*.

"*22d December*, 1829.

"I have, with no slight contentment, reperused the "correspondence," and despatch to-day an essay on Schiller, for *The Foreign Review*, founded on it. It will be pleasant for you to hear that the knowledge and appreciation of Foreign, and especially of German literature, is spreading with growing rapidity wherever the English language is spoken, so that, at the Antipodes, and even in New Holland, the sages of your land preach their wisdom. I heard lately, that even at Oxford and Cambridge, our two English Universities which till now have been considered the strongholds of insular prejudice and inertia, there are symptoms of activity in these matters. At Cambridge, your Niebuhr has met with a skilful translator; and at Oxford, two or three Germans find already sufficient employment as teachers of their language. The new light may be too strong for certain eyes; but no one can doubt the happy effects which will finally result from it. Let but nations, like individuals, know each other, and mutual hatred will be transformed into mutual helpfulness, and, instead of "natural enemies," as neighbouring countries have been sometimes called, we shall all be natural friends."

Neibuhr found, I believe, two Cambridge translators; one of them Thirlwall, is now Bishop of St. David's, the other, Hare, is an Archdeacon. Since Carlyle wrote, not only is German considered an element of scholarship at the Universities, but at the public schools likewise; and at Rugby it is just now, I hear, quite "the rage."

For a year or two more, writing for the Reviews, and composing *Sartor Resartus*, Carlyle remained in Scotland, fluctuating between Craigenputtoch and Edinburgh. By studious men of penetration, on both sides of the Atlantic, he was beginning to be recognised for what he is, and the young Emerson, coming about this time to England, pilgrimed as naturally to Craigenputtoch and Carlyle, as to Rydal Mount and Wordsworth. But "the Professorial or other office" alluded to in the letter to Goethe, did not offer itself, and, not long after the opening of the thirties, Carlyle settled in London. *Sartor Resartus* saw the light in *Fraser's Magazine*, to which, as well as to the *Foreign Quarterly*, and the *London and Westminster Review*, he contributed with more or less steadiness for many years. Meanwhile, too, was proceeding the elaboration and publication of that remarkable series of works which, in point of art, not less than from their many-sided vigour, throw all contemporary literature into the shade—The French Revolution, Chartism, Past and Present, Cromwell's Letters and Speeches, and, but last year, the Latter-Day Pamphlets. And from time to time, there were intercalated, as it were, oral lectures on German Literature, on the Three Periods of European Culture, on Modern Revolutions, on Heroes and Hero-Worship, to which the aristocracy and mitred orthodoxy of London crowded, and were brought face to face with the man whose writings had excited their bewildered and admiring wonderment.

Perhaps the best way to estimate the nature and extent of Carlyle's influence is to consider the strange variety of minds which have been irresistibly drawn into his immediate sphere, and sought his counsel or coöperation. Other thinkers have had their fixed circles of admirers or worshippers, but every circle has sent its quota to Carlyle's. Call over the roll of persons who have been in relations with him, and what contemporary can show the like. A "world-poet" like Goethe; ecclesiastics like the Bishop of St. David's, Dr. Arnold of Rugby, Dr. Chalmers, and Professor Maurice: statesmen like Sir Robert Peel and the late Charles Buller; agitations, the Anti-Corn-Law-League and the Secular School Association; hard, practical men, like Edwin Chadwick, and Mr. Whitworth, the competitor for the honour of sweeping Manchester streets: revolutionists, Mazzini and Cavagnac; men of letters in every department, and of every conceivable shade of opinion—Southey, Lockhart, Jeffrey, John Sterling, John Stuart Mill, Ebenezer Elliott, Thomas Cooper, the Chartist, Samuel Rogers, Samuel Bamford, the American Emerson, Miss Martineau, Leigh Hunt, Monckton Milnes, and all the young men of talent of the day. And practically, no useful scheme or measure has been carried out of late years, from the founding of the London Library to the repeal of the Corn-Laws, which does not owe something to him.

Of late years, Carlyle's tendency has been more and more to the practical and political. He had been silent for three years when the French Revolution of 1848 dissolved Europe into chaos, and when Ireland was threatened with death. He did not then hesitate to descend into the arena of contemporary politics, and the growl of his thunder and the crack of his Titan-whip were heard in the *Examiner* and *Spectator* newspapers. *Fraser's Magazine* gave him voice on "Indian Corn" and the "West Indian Negroes." And last year, his whole power was put forth in *The Latter-Day Pamphlets*, his most startling productions, and of which this is not the place to speak. At present, as we learn from a contemporary, he is engaged in preparing a memoir of the late John Stirling, one of the most beautiful figures in our recent literature. Succeeding The Latter-Day Pamplets, it will be sunshine after storm.—*London Critic.*

WOMAN'S POSITION.

I hold that handicraft work is an indispensable item in a good education; and that no human being can be said to be well educated who has not the perfect use of his hands, and who has not attained complete facility in some manual occupation. In this view, I lately was induced to search for some handicraft art, for a young lady, a relative of mine, to whom I thought a few hours spent daily in this manner would be highly beneficial; and this was the cause which led to my acquaintance with Miss Wallace, the remarkable lady who will be hereafter mentioned. I had likewise a wish that the employment should be remunerative. I think the mere fact of making money (provided that money is looked upon as a means, and not rested in as an end) has a moral influence; it gives habits of self-reliance, and honourable independence, creates a sympathy for those who toil, and the wish to realise enough to live upon (and thus to earn leisure for any favourite pursuit)—or to win the luxury of helping those whom we love to help—is a legitimate stimulus to exertion in the accumulation of wealth. For instance, suppose a young woman to have a genius for music, or a taste for history. By devoting herself for ten years (say from fifteen to twenty-five years of age) to some remunerative employment, she may earn a little independent property; and I am quite sure that the music and the history too which she will compose, will be all the more valuable for the discipline of the studio, and the perseverance in daily habits of industry; and that the home, however humble, which she will have acquired by her own exertion, will be more enjoyed by her than the most splendid mansion inherited by a weak and indolent person. It is a crying evil that the whole work of the world should rest upon men. The burden is too great—and our ever increasing number of suicides and lunatics awfully bespeak what mental anxiety (ending in despair) oppresses the male portion of the toiling classes in this country. Again, he who has the purse has the power: for there is not a wish of the human heart that does not in some way or other resolve itself into a question of money, just as there is not a mountain peak round which the most ethereal tints of heaven play, but has its base anchored on the plain below. This power of the purse degrades men into tyrants—at least into masters, and women into slaves—to the great deterioration of both parties. Not that in advocating the independence of woman, I advocate an amazonian assumption of mannishness. That is odious. Nature has created man and woman different—but equal—and has so admirably adjusted them, one for the other, that neither can be complete without the other. Milton looked upon woman as the humble minister to man—he never got beyond—his creed on the point is summed up in the words "He for God only; she for God in him." But Shakspeare, the poet of nature, the glorious painter of humanity, in every form, from the lowest to the highest ideal, everywhere in his great characters, shows the man and woman in perfect equality, each a model of masculine and feminine perfection, quite different from each other, but blended into one harmonious unity. To this result a certain degree of moral independence is necessary, and an entire pecuniary independence. For all these reasons, therefore, and for others too numerous here to mention, it would seem to be time that women of all classes should take a new position in the world; that they should maintain and enrich themselves—and do so as men have lately begun to do, not by solitary and individual effort, but by the accumulated force of combined numbers.—*From the Popular Historian; a new cheap periodical, displaying considerable merit.*

HATS.

Hats are a great nuisance; no man out of Bedlam disputes that. They are an absurd roofing for the capital of the human column—the noblest member of the human body. In the past history of English costume we can find no cover for men's heads so egregiously ridiculous as that which posterity will see to have been worn by the heroes of '51. In a crowd they are in the way of those behind us if we keep them on, and they probably get smashed if we take them off: we have to hold them gingerly, manœuvre them, have two thoughts for the hat, and one thought for ourselves. They are a source of head-aches, and in windy weather they call our attention from all other thoughts, because our minds must then be concentrated on the hat. We must press it over our brows tightly enough to cause a deep red ring upon the forehead; and that done, we must be on the alert for any puff of wind which may require us to carry up our hands for its preservation; because the great surface of a column slenderly supported at its base, renders it very liable indeed to be blown over. . . . The abandonment of hats, without injury to hatters, is a change now gradually taking place. You shake your head. Well, we will put by that suggestion for a few minutes, and consider what sort of substitute for chimney-pot hats we, in this country, may be expected reasonably to desire. The Greek cap is often pointed to as something picturesque. In as far as its shape accords with the wearer's head, and does not caricature the outline of the wearer's body, it is very well. It suits the costume and climate of the Greeks, but, I diffidently submit, not the English dress and drizzle. A cap of many colours would not match our sober broadcloth dress, and a sober skull-cap, without brim, would pour the rain that fell on it over our faces in wet weather. In England, certainly, the brim is an essential portion of a hat: we want eaves to the roofing of our heads;—not monstrous umbrella brims, like those of the hats seen in the Tunis department of our Exhibition, but a moderate projection. The Greeks would have put brims to their caps if they had lived under an English sky Up the White Nile, the Keks are a race of people wearing skull-caps. They coat their hair with the Nile mud, letting it dry in the sun, so that they seem to go about entirely bald, with earthen skull-caps.—If they lived in a rainy country, it would not need many showers to inform them that a mud-pie was unpleasant wearing. Every man to his taste; but neither mud caps, nor Greek caps, would suit London weather. A simple head-covering, a skull-cap with a brim, would answer the exigencies of our case in the simplest manner. Such a head-covering was introduced, not many years ago, under the name of "wide-awake," by hatters. It was made of felt, and was meant for garden-wear. Such hats have been long worn by our rustic population. Who would have supposed that hatters themselves, introducing "wide-awakes," began unconsciously to work the hat reform? . . . .

Our English ladies, without calling meetings, or creating any stir, have done what English gentlemen have talked about, have for their own part done away with hats for their own equestrian wear. Ladies who ride with cylinders upon their heads are no longer to be seen. They wear the "wide-awake;" they are emancipated; they appear in reasonable hats, and never will be seen in cylinders again.—Omitting feathers and such decorations as become the English woman, but do not become the man, hats of this form can be adapted to our male costume, and by this change of fashion there accrues no injury to hatters. The change will not be made by public meetings, or by the Anti-Hat Association. It is a change in progress, slowly, but surely, following the current of public opinion. The time has arrived when any hatter may perceive the point to which the public taste is tending The rest of the hat reform is in the hands of hatters; if they will leave off making cylinders, and offer to the public hats resembling those now worn by ladies—modifications of the wide-awake—they will be well backed by the public.—*Dickens's Household Words.*"

RELIGIOUS MELANCHOLY.

We incline to think that mild and *undefined* cases of granular disturbance, indicated by peculiarities of temper, by singularities of opinion, and by chronic or acute fits of moodiness, abound in all circles? If so, what are the practical interferences?

Some of us have already acquired this measure of personal wisdom, leading us to say—when sliding into a mood which our better reason resents—"this is my infirmity; it is not all the world that ought just now to be blamed; but my own stomach rather, or liver or brain." Let those confess the humiliating fact who are conscious of it, that a well-dressed mutton-chop has sometimes brought them over from Manicheism, or has seemed to condense within its savoury juices the very essence of a better philosophy. We admit no materializing tendency in saying this.

But may it not be safely assumed that all *moods* of mind, not occasioned by actual and obvious circumstances; that all individual peculiarties of temper, and all those singularties of opinion which, after having been a hundred times exposed, refuted, and apparently discarded, return ever again to their wonted place of supremacy in the mind; that all these specialties of the individual take their rise in the animal organization, either as consequences of malformations, or of morbid action or inaction?

The first inference, then, of course, is to employ medical treatment, where the case is sufficiently pronounced to call for it. But the second inference is of another sort, and it bears upon the question of what is the best *moral* treatment in such cases. Now, in dealing with them,—and the father of a family, and the teacher of youth, and the minister of religion, are called to deal with them—it is, we think, an error to take the course of a sedulous and solicitous treatment of the patient *in his own style and tone*. We assuredly shall end in making him a sentimental hypochondriac, if we do so. It is easy to be too wise, too nice, too "considerate," too learnedly skilful, in attempting cures in such cases. In a word, that which such patients need is not moral *physic*, but moral *aliment*. An ingenuous medical adviser often says, "You don't want *me*; get abroad and live well." So it is the analogous instances which we have in view. Temper and moodiness, and a tendency to view all things under one colour, which a parent may see to have a physical origin, (and this ought perhaps always to be assumed as the fact), are not to be reasoned with, ordinarily, or talked out of the patient; nor is he to be worried by reiterated rebukes into some morbid equivalent, which is very likely to prove itself something more or worse than an *equivalent*.

Rather administer more of bland, tranquil love—not to the *patient singly*, but to the household of which he is a member; let a better ventilation into the house—the *oikos* disperse domestic miasmas—open the windows to the light of heaven; increase the daily rations of sound doctrine—that is to say, Christian beliefs, unadulterated, undiluted, and ungrudged. The things which we assuredly hold to be true, let us speak of them as if we so held them; rising up and sitting down, going out and coming in. Ill tempers and despondencies and religious moroseness are abated, mitigated, or remedied by and in the midst of heaven's atmosphere, and the daylight of Christian hope. Are we saying that "miracles" of cure may be effected by them, or by any such means? No, indeed; nevertheless, more may thus be done than those imagine who have not fairly made the experiment.

There is, doubtless, a broad middle region, indefinitely bordered on the one side by those cases of *severe* physical diseases, to which medical or surgical treatment must almost despair of affording relief; and on the other side, by instances of a *purely* intellectual and moral kind, in the treatment of which the homogeneous means of suasion and reasoning, and these only, are appropriate. But to those far more numerous and *mixed cases* which, belonging, as to their first cause, to pathology, are nevertheless remediable wholly or partly by means of moral treatment; to these cases we should apply a rule analogous to that which undoubtedly would now, by most practitioners, be adhered to in treating the same cases physically; "Do not tamper with the general health by dosing the liver, or the stomach, or the brain; do whatever will invigorate the entire animal system." In the moral treatment, likewise, we say; cease to argue with infatuation; do not apply logic to a sullen misanthropy; cease from attempting to tinker a bad temper. Be deaf to the outbursts of petulance; be blind to those improprieties of which the patient, left to himself or herself, is presently ashamed. Do not neglect the disease; but do not let the patient feel that you are always thinking of it. Be sure that the remedy, if indeed the case admits of moral and religious treatment, is to be found in a free administration of the great and soul-quickening truths—truths of universal applicability—truths that recognise no individual peculiarities—truths that are as broad as the heavens, as bright, and as unchanging.—*North British Review.*